The EU and Terrorism: Is Britain Safer In or Out?

By Maajid Nawaz & Julia Ebner

Forewords
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Director of Europol
&
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Quilliam is the world’s first counter-extremism think tank, set up to address the unique challenges of citizenship, identity, and belonging in a globalized world. Quilliam stands for religious freedom, equality, human rights, and democracy. Challenging extremism is the duty of all responsible members of society, not least because cultural insularity and extremism are products of the failures of wider society to foster a shared sense of belonging and to advance democratic values. Quilliam seeks to challenge what we think and the way we think. It aims to generate creative, informed, and inclusive discussions to counter the ideological underpinnings of terrorism, while simultaneously providing evidence-based recommendations to governments for related policy measures.

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Table of Contents

FOREWORDS..................................................................................................................1

ACKNOWLEDGEMENTS .................................................................................................5

ABBREVIATIONS ............................................................................................................6

EXECUTIVE SUMMARY .................................................................................................7

INTRODUCTION ...............................................................................................................9

  RESEARCH AIM ............................................................................................................10
  METHODOLOGY ...........................................................................................................10

HISTORY AND CONTEXT ................................................................................................12

  THE UK AND THE EU: A BUMPY YET EVOLVING RELATIONSHIP ................................12
  BREXIT: A SYMPTOM OF THE BRITISH IDENTITY CRISIS ........................................15
  MODERN-DAY TERRORISM: TRANSNATIONAL, INSURGENT AND MADE IN THE UK .......17

SECURITY AND COUNTER-TERRORISM ......................................................................19

  JUDICIAL AND POLICE COOPERATION ...................................................................22
  INFORMATION AND INTELLIGENCE SHARING .........................................................32
  CASE STUDIES ............................................................................................................43

TERRORISM PREVENTION AND COUNTER-EXTREMISM ...........................................48

  MIGRATION AND BORDER CONTROLS ...................................................................50
  COUNTERING VIOLENT EXTREMISM ACROSS EUROPE .........................................59
  CASE STUDIES ............................................................................................................63

FOREIGN POLICY AND DEFENCE ..............................................................................66

  INFLUENCE AND LEVERAGE ..................................................................................69
  STRATEGIC RELATIONSHIPS ...................................................................................73
  CASE STUDIES ............................................................................................................81

CONCLUSIONS ..............................................................................................................91

BIBLIOGRAPHY .............................................................................................................91

  PRIMARY SOURCES ....................................................................................................93
  SECONDARY SOURCES ...............................................................................................98
Foreword

When the Prime Minister made his case for the UK remaining within a reformed European Union earlier this year, he stressed three key considerations: whether the UK would be better off, the UK’s place in the world, and whether the UK would be safer inside or outside the EU. This timely report from the Quilliam Foundation focuses on the last — and by no means least — of these three issues.

A safer country has intuitive appeal but it is reasonable to ask “safer from what”? The agency I lead helps to combat serious organised crime and terrorism, but there are of course other security threats which fall more in the realms of defence and diplomacy. A favoured theme of expert observers is the “interconnectedness” of these threats: the nexus between crime and terrorism; security in the online and offline worlds; links between state and non-state actors; and the ability of organised crime groups to profit from conflicts and failures in governance.

An increasing link is also found in the way in which countries are commonly affected by these threats. Facilitated by technology and a growth in economic and social convergence the threat picture of today’s globalised world cannot be understood, let alone tackled, at the level of a single nation state. Crime is changing and its origins have become progressively more transnational: illicit drugs, counterfeit goods and even human beings are trafficked from other parts of world to the consumer societies of the West, through trafficking routes that regularly diversify. The proceeds of crime are laundered in financial centres often far removed from where they were obtained, while cybercrime is ‘borderless’ as opposed to ‘cross-border’.

At the same time few would dispute the inherently transnational nature of modern terrorist threats and the need for effective multilateral law enforcement cooperation. Since the declaration of a caliphate in swathes of Syria and Iraq by the so-called Islamic State (IS) in 2014, an estimated 5,000 EU nationals have flocked to join them, some of whom have since returned to carry out attacks in Paris and Brussels. Even before the escalation of the IS threat, in cases where suspects acted alone, or in small groups, evidence was often found of international connections. Anders Breivik, perpetrator of the Oslo bombing and Utøya massacre in July 2011, travelled extensively and undertook significant cross-border financial activity. The increasing use of the internet as a means of communication between terrorists further increases the international dimension of investigations.

The practical needs of law enforcement officers to respond to these increasingly international crime trends have shaped and driven the further development of EU security measures. They took something of a leap forward in the aftermath of the 9/11 attacks and we are now implementing a series of new measures – most notably the creation of a European Counter-Terrorism Centre at Europol – following those attacks in Paris and Brussels.

The role of the United Kingdom in shaping the EU’s internal security architecture should not be underestimated. It is one of the most influential Member States in this domain, having steered the
development of the Schengen Information System, introduced the practice of ‘intelligence-led policing’ at European level, and helped to deliver an EU Action Plan on combating terrorism, closely modelled on the UK’s own CONTEST strategy. It is also highly engaged in all of the current projects to combat EU priority crime threats.

Remaining in the EU would represent a confirmation of an existing trend: steadily increasing cooperation with growing benefits for police forces across the UK. UK law enforcement is already involved in approximately 40% of all cases processed by Europol, with a 26% annual increase in the level of UK activity recorded last year.

Meanwhile EU legislative measures continue to evolve in response to law enforcement needs. Changes to Europol’s legal basis were recently adopted, allowing, for example, the creation of an Internet Referral Unit to facilitate cooperation between law enforcement and tech companies against terrorist propaganda online. This was another UK-driven initiative, while recent improvements to EU money laundering directives have also been shaped by British practice.

Like all large EU Member States, the UK has a range of security capabilities at its disposal, not least through its cooperation with transatlantic and intelligence community partners. But, over the last ten years, unique EU cooperation instruments such as Europol, and information sharing through institutionalised systems connecting 28 countries, have become a mainstream part of how Britain protects its borders, economic well-being and people.

Given the globalisation of security threats, abandoning such well-established arrangements would surely trigger the need to reinvent them, which would be a costly exercise with uncertain outcomes. A lot rides on the outcome of the vote on 23 June, therefore, not least the future prospects for Britain’s security.

Rob Wainwright, Director of Europol
Foreword

When Britain entered the European Economic Community in 1973, we apparently joined a common market with the expectation of facilitating business with European partners to benefit our economy. However its purpose was always more substantial, particularly in the minds of its founders, to use economic integration to make peace and war in Europe unthinkable. Unhappily its presentation to the British people didn’t make clear it was intended to go far beyond a simple common market, so the project has never had the legitimacy in Britain shared elsewhere among our continental partners.

Today we find ourselves locked in much deeper integration with Europe than was presented to the British people when they endorsed our membership in the 1975 referendum. European judges can overwrite British law and direct our legal regulations. Those many aspects of the acquis subject to Qualified Majority Voting leave our own government and Parliament frequently and controversially overridden by the competing interests of our partners and even more frequently our government’s position quietly compromised to achieve unanimity.

The truth is the geo-politics of our island and its history means the British position on Europe is hopelessly compromised. The integration required to make this great idealistic project work is disguised from the British people, because they don’t really get it. Now this is presented by the Prime Minister as the best of both worlds. Out of the currency, out of Schengen and half in Justice and Home Affairs measures, we can have our cake and eat it.

But there is a price to all this. Our lack of commitment to the institutions is being paid by our partners and us on security. Outside the EU we can and would continue to cooperate on security issues much as we do now. Inside the EU we actively prevent our partners achieving the kind of integration required to make the EU a really effective security and defence player in the world. It is absolutely in our interest that the EU sharing our values, becomes a more effective partner.

The soaring idealism of the integration envisaged by the project, planted in the ashes of post war Europe, today is reinforced by political necessity. Now we have the Euro we, or at least the Euro area, it must move towards some kind of United States of Europe or it will collapse. An accountable body will have to vote the common tax and benefits across Europe to support the common currency area. Unsurprisingly many of our partners also want a common defence capability, which makes complete sense if your interests are so closely aligned that it’s bizarre that you should not defend them together. The same goes for counter-terrorism. Without integration of the nations’ various counter-terrorism capabilities and central direction of those merged capabilities and resources we reduce EU capability to the quality of its lowest common denominator state apparatus.

And it’s us, the UK, that actively seeks to prevent this. It’s toxic to promote this in the British body politic because most of us Britons are simply not checked in for the European ideal and are not

‘Security should be a central theme in the referendum debate. I welcome this report which highlights our relationships with our European partners and the importance of bilateral agreements with nations across the world. Britain’s inability to concede the sovereignty required to deliver effective security cooperation using EU institutions speaks volumes about our conflicted relationship with the EU, which the referendum must be used to resolve.’

Crispin Blunt MP, 27 May 2016
prepared to make the sovereignty sacrifices involved. It’s why this kind of narrative has been completely missing from the Remain campaign.

It’s possible that Brexit will trigger the crisis that forces our partners to address these issues. Of course today’s leaders would rather this was postponed. But without us they have a much better chance of resolving the Euro and Schengen crises and at the same time can deliver parallel security and defence integration that we would never sign up for, but would allow a step change in EU capability which is in our interests and theirs.

We have the luxury of the option of a perfectly sustainable global role outside the EU, rather more attuned to our people, economic strengths, history and culture. We should take it and help our partners resolve their need for further political and security integration rather than obstruct them.

Rt Hon Crispin Blunt MP,

Chair of the Foreign Affairs Committee
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<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tr>
<td>AU</td>
<td>African Union</td>
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<tr>
<td>BiH</td>
<td>Bosnia and Herzegovina</td>
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<td>CIA</td>
<td>Central Intelligence Agency</td>
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<td>CMF</td>
<td>Combined Maritime Force</td>
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<tr>
<td>CVE</td>
<td>Counter violent extremism</td>
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<tr>
<td>CFSP</td>
<td>Common Foreign and Security Policy</td>
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<td>CSDP</td>
<td>Common Security and Defence Policy</td>
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<tr>
<td>CTELO</td>
<td>Counter-Terrorism and Extremism liaison Officer</td>
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<tr>
<td>GCTF</td>
<td>Global Counter Terrorism Forum</td>
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<tr>
<td>ECSC</td>
<td>European Coal and Steel Community</td>
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<td>EC</td>
<td>European Community</td>
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<td>ECFR</td>
<td>European Council on Foreign Relations</td>
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<td>ECJ</td>
<td>European Court of Justice</td>
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<td>ECTC</td>
<td>European Counter Terrorism Centre</td>
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<tr>
<td>EDA</td>
<td>European Defence Agency</td>
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<tr>
<td>EEC</td>
<td>European Economic Community</td>
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<td>EEAS</td>
<td>European External Action Service</td>
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<tr>
<td>EAW</td>
<td>European Arrest Warrant</td>
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<tr>
<td>ECHR</td>
<td>European Convention on Human Rights</td>
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<tr>
<td>ECtHR</td>
<td>European Court of Human Rights</td>
</tr>
<tr>
<td>ECTC</td>
<td>European Counter Terrorism Centre</td>
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<tr>
<td>EIAC</td>
<td>European Intelligence Analysis Centre</td>
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<tr>
<td>EIS</td>
<td>The European Intelligence System</td>
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<td>ESC</td>
<td>European Steering Committee (of the European Commission)</td>
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<td>ESS</td>
<td>European Security Strategy</td>
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<td>EUBAM</td>
<td>European Common Foreign and Security Policy in Libya</td>
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<td>EUFOR</td>
<td>European Force</td>
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<td>EUNAVFOR</td>
<td>European Naval Force</td>
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<td>FATE</td>
<td>Families Against Terrorism and Extremism</td>
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<tr>
<td>FBI</td>
<td>Federal Bureau of Investigations</td>
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<tr>
<td>GCTF</td>
<td>Global Counter Terrorism Forum</td>
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<td>GCHQ</td>
<td>Government Communications Headquarter</td>
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<td>GIRDS</td>
<td>German Institute on Radicalisation and De-radicalisation Studies</td>
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<tr>
<td>GoA</td>
<td>Gulf of Aden</td>
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<tr>
<td>INTCEN</td>
<td>Intelligence and Situation Centre</td>
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<tr>
<td>IRA</td>
<td>Irish Republican Army</td>
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<tr>
<td>IRTC</td>
<td>Internationally Recommended Transit Corridor</td>
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<tr>
<td>IS</td>
<td>Islamic State/Daesh</td>
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<tr>
<td>ISCR</td>
<td>International Centre for the Study of Radicalisation &amp; Political Violence</td>
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<tr>
<td>MI5</td>
<td>Military Intelligence, Section 5</td>
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<tr>
<td>MI6</td>
<td>Military intelligence, Section 6</td>
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<tr>
<td>MSCHOA</td>
<td>Maritime Security Centre – Horn of Africa</td>
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<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
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<tr>
<td>NSA</td>
<td>National Security Agency</td>
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<tr>
<td>OHQ</td>
<td>Operational Head Quarter</td>
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<tr>
<td>OSCE</td>
<td>Organisation for Security and Cooperation in Europe</td>
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<tr>
<td>PNR</td>
<td>Passenger Name Record</td>
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<tr>
<td>RAN</td>
<td>Radicalisation and Awareness Network</td>
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<tr>
<td>RAN CoE</td>
<td>RAN’s Centre of Excellence</td>
</tr>
<tr>
<td>SHADE</td>
<td>The Shared Awareness and Deconfliction Group</td>
</tr>
<tr>
<td>SIS</td>
<td>Schengen Information System</td>
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<tr>
<td>TERRA</td>
<td>Terrorism and Radicalisation</td>
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<tr>
<td>UKBA</td>
<td>UK Border Agency</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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<td>UNSC or SC</td>
<td>Security Council</td>
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Executive Summary

As Cameron noted, ‘we are approaching one of the biggest decisions this country will face in our lifetime’. The EU referendum vote has given rise to oversimplified and emotional discussions, which have built on fears rather than facts. The aim of this report is to provide voters with a nuanced and balanced analysis of both sides of the debate from a security perspective.

This is the first report that extensively examines the implications of the EU referendum vote on threats related to terrorism, extremism and mass migration. It addresses the implications of Brexit on counter-terrorism cooperation, intelligence sharing arrangements, counter-extremism efforts, migration and border controls and foreign policy tools.

Over the past three months, the authors have interviewed more than 20 security experts across six different countries in three languages. Findings of this report build on first-hand insights provided by the interviewed policy makers, diplomats, former intelligence officers, military commanders, policemen, lawyers and academics, coupled with extensive literature research and case studies.

The report highlights the following findings:

1. Leaving the EU will not per se have an impact on Britain’s sovereignty from the European Court of Human Rights in Strasbourg.

2. Independence from EU law implemented through the Luxembourg Court would increase the UK’s freedom of action in regards to counter-terrorism legislation and extradition procedures.

3. The European Arrest Warrant (EAW) and Eurojust have overall been useful for British law-enforcement bodies.

4. Regardless of the vote, Britain’s intelligence sharing will continue to predominantly take place bilaterally and with the Five Eyes alliance.

5. It is in Britain’s interest to reduce its dependence on the US and diversify its intelligence sharing partners. Continental European agencies have different geographic expertise (e.g. North Africa) and thematic strengths (e.g. cyber threats).

6. Leaving the EU may be a waste of existing structures and relationships and may initially incur high transaction costs but would not impact the functionality of Britain’s intelligence capabilities.
7. Although there is a theoretical risk of disrupted access to information sharing mechanisms, European partners would in practice be unlikely to hinder the UK from accessing joint databases.

8. Exiting the EU might enable Britain to curb immigration, provided that it simultaneously increases its investments in border controls.

9. Brexit would, however, not make a difference for Britain’s terrorism threat. There is no statistical evidence for a correlation between immigration and terrorism, and the UK will remain a terrorism target regardless of its EU membership.

10. The EU lacks a coherent counter-extremism strategy, which is problematic regardless of the referendum’s outcome. The UK’s counter-extremism expertise would be useful for the development of a coherent EU-wide strategy.

11. The EU has provided the UK’s foreign policy with legitimacy, capacity and leverage. At the same time, the Lisbon Treaty has effectively silenced Britain’s voice in some international organisations such as the OSCE.

12. The implications of Brexit are uncertain, there are both best and worst case scenarios that largely depend on the reactions of third parties and changing political contexts in the countries that currently are our primary strategic partners. Thus, only the uncertainty of the consequences of Brexit is certain. If security is about minimising risks, should we vote for Remain?
Introduction

23 June 2016 will be a critical day in many ways: the EU’ referendum’s outcome will be determinative of the United Kingdom’s strategic, political, economic and financial future. Brexit and its numerous implications have provided the basis for one of the most over-simplified and uninformed debates that we have seen since the 2008 global financial crisis. It is all the more important that voters are prepared to take an informed, conscious and considered decision on 23 of June. We therefore want to encourage everyone to step back from any preconceptions, look at the debate from every possible angle and critically assess both ‘in’ and ‘out’ arguments.

In the light of the full-blown jihadist insurgency, the unprecedented migration crisis and the rapid rise of far-right movements the EU is faced with, the referendum may be crucial for the ‘make-or-break’ of Europe and, by extension, the United Kingdom. The potentially colossal impact of Brexit coupled with its high degree of complexity and uncertainty has rendered Britain’s EU membership discussion highly emotional and divisive.

The latest series of terrorist attacks in Paris and Brussels have provided for a new wave of sentiments of shock, fear, and frustration that both pro-Brexit and pro-Remain campaigners have tried to capitalise on. Rather than making a case, most politicians have made an emotional appeal. Major-General Chip Chipman commented that the political discourse has seen a quasi-Darwinian move towards Aristotle’s ‘pathos’, almost eliminating policy development based on ‘logos’ and ‘ethos’. ‘I’m slightly cheesed off with the level of the debate and the level of the academic rigour that is being applied to it’, he told us. ‘Project Fear’ on both sides has further polarised the debate and prevented any rational, nuanced discussion on the security implications of the vote.

While Quilliam seeks to stay out of the political discourse and refrains from giving an overall recommendation on how to vote on 23 June 2016, we do want to raise awareness and advocate a vote that is informed by facts rather than fears. With this report we therefore seek to make a contribution to the debate by assessing the entire spectrum of security-related arguments surrounding the vote.

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2 Interview with Major-General Chip Chapman. 10 May 2016, 10.00 (GMT).
3 Ibid.
4 ‘Maajid Nawaz on the Brussels attacks’. This Week. BBC. Online: https://www.youtube.com/watch?v=feB9BucyubY.
Research Aim

The aim of this report is to inform the public about the implications of their vote from a security perspective. This report will therefore provide a comprehensive assessment of both advantages and drawbacks of EU membership for Britain’s national security. It will critically assess the likely effects of both ‘in’ and ‘out’ votes on threats posed by terrorism, extremism and mass migration. On the one hand, it will analyse the benefits of EU-coordinated counter-terrorism efforts, shared intelligence, joint counter-extremism initiatives, multilateral cooperation in negotiations with rogue states and a European response to the migration crisis. On the other hand, it will examine the adverse effects EU membership and compromised national sovereignty may have on Britain’s vulnerability to terrorism, extremism and other sources of instability.

The report introduces the topic by offering a historical background of the United Kingdom’s role within the EU, the European security apparatus and the Brexit debate. It further assesses the EU referendum’s security context, exploring the rise of Islamist extremism, the nature of modern-day terrorism and community perceptions. In the main part of the report, information collected in the interviews serves as a basis for analysing the interaction of Britain’s EU membership and security. This part discusses security and intelligence cooperation, terrorism prevention and counter-extremism efforts. Moreover, it examines the security dimension of EU migration and border control policies and the EU’s role in foreign policy and international security cooperation. In the end, the report provides an evaluation summarising all findings.

Methodology

This report’s Brexit analysis draws on a combination of in-depth literature research and interviews with both pro-Brexit and pro-Remain policy makers, diplomats, former intelligence officers, military commanders, policemen, lawyers and academics from across the UK, Germany, France, the Netherlands, Belgium and the US in English, French and German.

The authors conducted over 20 interviews with experts such as NATO’s counter-terrorism head Juliette Bird, former Director of Global Counter Terrorism Operations at MI6 Richard Barrett, former Director of the Governments Communications Headquarters Sir David Omand, former Secretary of State for Defence Rt Hon Dr Liam Fox MP, Minister for Human Rights Dominic Raab MP, former independent reviewer of British counter-terrorism legislation Lord Carlile of Berriew, former Counter-Terrorism Minister Rt Hon Hazel Blears, former Senior British Military Advisor to US Central Command Major-General Chip Chapman, former head of the OSCE Borders Unit and former CSDP Planner for Integrated Border Management at EEAS Henry Bolton OBE, counter-terrorism expert Professor Peter Neumann, International Security Director of the Asia-Pacific Foundation Dr Sajjan Gohel, Associate Director of The Henry Jackson Society Douglas Murray, TERRA project leader Magda Rooze, TERRA researcher Holly Young, former
NATO deployment officer Major Serge Stroobants, Margaret Thatcher Follow at The Heritage Foundation Robin Simcox, Director of Policy Planning and Special Affairs at the German Ministry of the Interior Daniel H. Heinke, Marie Curie Fellow at the Centre for Science and Security Studies of King's College Benjamin Kienzle, and several other security experts who preferred to stay anonymous. The comments and opinions provided in these interviews do not reflect their affiliations’ views. Furthermore, this report consults a range of journal articles and specialist books on the topic of European security and the UK’s role within the EU’s security apparatus.

It also makes use of recent newspaper articles written by and speeches held by Europhile and Eurosceptic security experts. It provides a fact check of recurring elements in the arguments of both ‘In’ and ‘Out’ campaigners and offers novel and underreported angles on potential security implications of Brexit. By taking into account both leading Europhile and Eurosceptic arguments, collecting expertise and evidence through a diverse range of primary and secondary sources and using first-hand insights from experts across a number of fields that deal with security challenges, we sought to produce a balanced, critical and comprehensive assessment of the impact of Britain’s EU membership on the country’s and, more broadly, the continent’s security.
History and Context

The UK and the EU: A Bumpy yet Evolving Relationship

Britain has been a member of the European Union (previously European Community or EC) for almost half a century. Winston Churchill was among the European Unity movement’s earliest supporters. He called for pan-Europeanism in the form of a ‘United States of Europe’ and advocated the creation of a ‘Council of Europe’. In the beginning, Britain largely ignored the European Coal and Steel Community and declined an invitation to join the European Economic Community in 1957. Jean Monnet, one of the founding fathers of the ECSC, famously said ‘I never understood why the British did not join. I came to the conclusion that it must have been because it was the price of victory – the illusion that you could maintain what you had, without change.’ When Britain eventually applied for membership, it was rejected twice by Charles de Gaulle, who accused the British of hostility to Europe and criticised them for giving priority to transatlantic ties. Since the UK joined the EC in 1973 under Tory Prime Minister Edward Heath, membership of the pan-European institution has been contentious. Labour Prime Minister Harold Wilson held an EC referendum only two years after Britain’s accession. This last referendum more than 40 years ago saw 66 percent voting in favour of staying in the European Community. The EU membership debate has always gone beyond party politics, and even today there is a broad spectrum of views on ‘Brexit’ within most parties.

The UK’s integration into Europe has not been easy because its constitutional arrangements and party system had evolved within a different context and time frame. As many continental countries have fairly recent borders, or a recent history of sovereignty, their integrative process was much easier. The UK’s main political institutions, the House of Commons and the House of Lords, date back to medieval times, and the monarchy dates back to the 8th century. By contrast, the French Constitution dates from 1958, the German from 1949, and the Italian from 1947. The European Union can enact laws which have a direct impact on citizens, and which Parliament cannot amend or alter. Moreover, when EU and Parliamentary legislation come in conflict, EU legislation takes precedence, with the ultimate implication that Parliament is not entirely sovereign. Institutional practices also differ and Britain in particular takes issue with the democratic deficit in the EU, where authority is given to institutions and persons who are not

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‘We are with Europe, but not of it. We are linked but not combined. We are interested and associated but not absorbed.’

(Winston Churchill)

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elected, and not accountable to voters. Yet, it is worth noting that the UK enjoys greater flexibility within the EU than any other member countries. It has been able to opt out of the Schengen area, the Eurozone, and other EU laws and mechanisms.\textsuperscript{7}

The high degree of dissatisfaction with the EU across the UK and other EU member states can be seen as a by-product of the cunning two-level games\textsuperscript{8} that European governments have been playing to disguise their own mistakes. The EU has provided national authorities with a scapegoat when things go wrong, an excuse for unpopular domestic decisions, while they can use domestic pressure to get their way in the EU. Author and Associate Director of the Henry Jackson Society Douglas Murray\textsuperscript{9} pointed to the irony in the fact that ‘the people who claim we are in control of our borders, are often the people who said that the reason why our migration system is so bad is because of the EU’, pointing specifically to Theresa May’s contradicting statements on this issue. ‘I still don’t see how she can make that argument’, he concluded.\textsuperscript{10}

Britain’s only legal route to exit the EU is through Article 50 of the Lisbon Treaty\textsuperscript{11}. As outlined in Article 50, the UK will enter a negotiation process to determine its withdrawal arrangements and its future relationship with the Union once it has notified the European Council of its intention. The leaving agreement then needs to obtain the consent of the Parliament and concluded by the Council with a qualified majority. The EU Treaties would cease to apply to the UK after the new arrangement has entered into force or otherwise after two years of negotiations. There is, however, an emergency clause under which the European Council can unanimously extend this period. As article 50 only sets out the rough exit procedures and as no country has ever undergone these, there is much uncertainty regarding the concrete consequences of Brexit. The only countries that have left the EU or its predecessor, the European Economic Community, were Greenland (1985)\textsuperscript{12} and Algeria (1962)\textsuperscript{13}.

\begin{quote}
‘The choice is between being out and half in (…). If you gave that option to people in Austria, Holland or Denmark, they would love that’.

(Interview with Professor Peter Neumann)
\end{quote}


\textsuperscript{9} Interview with Douglas Murray. 11 May 2016. 14.45 (GMT).

\textsuperscript{10} Ibid.


\textsuperscript{12} After increasing its autonomy from Denmark in 1979.

\textsuperscript{13} After achieving independence from France in 1962.
A closer Union, but not for the UK:

‘It is recognised that the United Kingdom, in the light of the specific situation it has under the Treaties, is not committed to further political integration into the European Union. The substance of this will be incorporated into the Treaties at the time of their next revision in accordance with the relevant provisions of the Treaties and the respective constitutional requirements of the Member States, so as to make it clear that the references to ever closer union do not apply to the United Kingdom’

(European Council, ‘European Council Meeting: Conclusions’, EUCO 1/16, 19 February 2016)
Brexit: A Symptom of the British Identity Crisis

The UK has perceived itself as not being part of the ‘European Family’. The discussion on the United Kingdom’s place in the world is by no means a new phenomenon and it usually coincides with periods of national ‘uncertainty’. The question of Europe has produced such profound divisions in Britain because it speaks to one of the most fundamental issues in politics – ‘the basic attitude toward national identity, about what it is to be British.’ For much of its history, Britain would not have been considered by anyone, least of all itself, as a part of Europe politically. Historically, and somewhat naturally, Britain felt more closely linked with fellow English speakers, who were found in the current and former territories of the Empire and dominions, not in Europe. General Charles de Gaulle acknowledged the British distinction from Europe following WWII, stating that ‘if Britain must choose between Europe and the open sea, she must always choose the open sea’.

The UK’s imperial past has shaped its self-perception. A seemingly inconsistent mixture of pride, nostalgia and shame surrounds the memories of Britain’s history as a powerful empire that governed a fifth of the world’s population and a quarter of the world’s total land area at its height in 1922. According to a YouGov survey, more than half of the British people polled are proud of the legacy of the Empire and a third would still like it if Britain had an empire today. Britain’s transition from a global superpower to a ‘bit-part player’, accompanied by a general shift to multilateralism and interconnected diplomacy has understandably resulted in questions about British identity.

Britain has developed a post-war ‘arrogance’. Some historians believe that World War Two has had a significant impact on how Britain views itself and Europe: the popular perception of Britain bravely fighting off Nazi Germany as other European countries crumbled may have influenced a view that the UK has an edge over continental Europe. Bearing in mind the decline of global British influence, however, such ‘arrogance’ is viewed by many as a mismatch between ideas and reality of Britain’s status.

Britain is used to an island mentality. According to Prof Vernon Bogdanor, ‘we lived in splendid isolation, protected by the Navy and the Empire’, and although this period of isolation is long gone, ‘it still retains some of its impact upon the British people, who do not want ties with the Continent.’ This is exacerbated by an ‘imperial hangover’ – that Britain is used to giving the

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14 Vernon Bogdanor. ‘Britain and the Continent’.
17 Jawad Iqbal. ‘Does the UK remain a world power?’. BBC News. 16 April 2015. Online: http://www.bbc.co.uk/news/uk-politics-32317703
orders, not following them. In 1948, Winston Churchill said ‘we stand, in fact, at the very point of junction, and here in this Island at the centre of the seaways’. This statement mirrored the UK’s ‘island mentality’ of being geographically detached from the world but inherently looking outward at the world.

Multiculturalism has sparked discussions about British identity. Migration and multiculturalism, the compatibility of British values and Islam and the phenomenon of home-grown terrorism have all emerged as controversially discussed topics. Particularly the 7/7 attacks left open the public and political debate on ‘how to celebrate national diversity, while harbouring communities that want to kill.’ This questioning of British identity has also prompted the public to ask questions about the UK’s place in the world and exacerbated criticism levelled at the 2004 big-bang enlargement of the EU. Under increasingly diverse societal circumstances striking the balance between stressing Britain’s national diversity and traditional ‘Britishness’ has become more challenging. Whereby pro-Brexit campaigners have argued that a leave-vote ought to open up Britain to increased international, less Euro-centric cooperation, a leave-vote is simultaneously suspected of leading to exclusionary and xenophobic tendencies in the UK.

Changing political and economic global orders have coerced Britain to reconsider its place in the world. Whereby Boris Johnson claims Britain is the birth place of the world’s political and economic system, contemporary global politics and economics have evidently evolved since, and become increasingly interconnected in a globalised world. Contrary to the post-WWII bipolar Cold War setting, the past decades have increasingly been characterised by multi-polarity with the rise of new powers such as China. Furthermore, regional integration has become the norm and transnational, multilateral institutions further gained in importance. Contemporary diplomatic strength arguably derives from institutional cooperation with international partners. Notions of war have changed with the diffusion of risk, the de-territorialisation of security policies and a new era of ‘optional wars’. The pre-dominance of asymmetric warfare has rendered Carl von Clausewitz close to obsolete. Like many other former great powers, the UK has been puzzled about the role it should play in this unfamiliar, rapidly changing world.

19 Ibid.
22 Ibid.
Brexit is only one part of a larger British identity crisis. Brexit is one way the British identity crisis has manifested itself, Scexit is another. A vote favouring Brexit would exert pressure for further referenda, as well negotiations over secessions in Scotland and Wales, which could break up the United Kingdom and prompt renegotiations of vast scales between all four parties over their relationships with each other. Furthermore, the secession challenges of Scotland and Wales could likely reignite the secessionist landscape across the EU, most notably the Catalanian case. Thus, the case of Brexit leaves open to discussion the coherence of British identity across the Kingdom. It additionally poses identity dilemmas and bureaucratic implications on Scotland, Northern Ireland, and Wales regarding their identities and relationships with both Britain and the EU.

Modern-Day Terrorism: Transnational, Insurgent and Made in the UK

We have entered an age of trans-national ideas and narratives. The 19th century saw the rise of the nation state, leading to a redefinition of collective identity. Whereas identity and allegiances were primarily defined by religion in medieval times, the core concept that shaped identity in the nation state was ethnicity. With the dawn of a new globalisation age, this identity notion was replaced by a new form of citizenship identity that allowed for equal treatment of individuals from different racial backgrounds within one state and brought about multi-ethnic societies. The invention of the internet and the introduction of social media platforms have given rise to the so-called ‘Age of Behaviour’, which is characterised by rising connectivity and borderless communication. This ‘Age of Behaviour’ has been defined as a period of trans-national ideas and narratives affecting allegiances and behaviour.

Extremists have been the winners of the Age of Behaviour. The overwhelming majority of political and commercial institutions – even those operating internationally – have been inert and slow to adapt to these new dynamics. In fact, the only ones who have been able to truly capitalise on the rising opportunities were extremists, both Islamist and far right. In contrast to the civil servants in Whitehall, who took until 2013 to recognise the need to adapt to this new digital age and stop producing two articulated lorries of paperwork per day, they have been extraordinarily good at using borderless technologies and digital activism for their purposes. Extremists have succeeded in spreading their messages internationally, in mobilising people across the world, creating global networks and carrying out trans-border operations.
Islamic State has become the new benchmark for effective, trans-national communication. Today’s most relevant and most vivid example of extremists’ effective use of modern communication tools to spread their message is Islamic State (IS). As Quilliam revealed in a 2015 report, IS’ propaganda wing produces an average output of 38 individual propaganda articles per day, and applies hi-tech media techniques, making it difficult to combat. Various tools are utilised to maximise the impacts of the propaganda both in Europe and the Middle East. Several propaganda videos and images illustrate idealistic pictures of children, family life and security, which serves to glamourize the IS-group and construct an image of IS as a way of life.

Europe and the United States are confronted with a full-blown global Jihadist insurgency. IS is just one manifestation of this insurgency. Modern Islamist terrorism is not a threat stemming from certain groups or organisations but from a meta-physical idea that has evolved over time. Al-Qaeda did not inspire Islamist extremism but Islamist extremism inspired al-Qaeda. Both al-Qaeda and its derivative IS are the products of a long evolution of Islamist extremist thought, popularised in the 20th century by Islamist ideologues such as the Egyptian author Sayyid Qutb and the Indian Pakistani scholar Sayyid Abdul Ala Maududi.

Britain has been a net exporter of Islamist extremism. Since the 1990s, London, or, what French officials have controversially labelled as ‘Londonistan’, has been the centre of gravity for pre-IS Islamist extremism. Extremists such as the Abu Qatada, or previous spokesperson for Islam4UK Anjem Choudary, have been active in Islamist communities, encouraged violence against Americans, Jews and Britons, and been accused of supporting Islamist activities seeking to harm Europeans. Despite vast political attention and counter-extremism efforts, MI5 last year suspected an all-time high risk of attacks executed by radicalised British citizens. Furthermore, due to post-7/7 tightening in the UK, and the imposition of bans on several Islamist extremist movements, such as Al-Muhajiroun, these groups have gone underground and expanded their networks to more lenient European countries and the United States.

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38 Ibid.
39 A. Travis. ‘MI5’s battle to identify radicalised Britons likely to turn to terrorism’. The Guardian. 27 February 2015.
Security and Counter-Terrorism

The Debate

The Politicians’ Debate

David Cameron:
‘The United Kingdom needs to remain a part of European agencies to prevent terrorist attacks in the country’

Iain Duncan Smith:
‘Britain risks Paris-style attacks if it stays in the European Union’

The Practitioners’ Debate

Sir David Omand:
‘The stronger the security on the Continent of Europe is, the safer we will be. In the case of a Brexit, the UK would be the loser, not the gainer’

The Academics’ Debate

Dieter Mahncke & Jörg Monar:
‘The European Union has strengthened cooperation within police and justice realms since 9/11’

Sir Richard Dearlove:
‘From a national Security perspective, the cost to Britain will be low in the case of a Brexit’

Oldrich Bures:
The EU merely resembles a ‘paper tiger’ that does not add much value to bilateral cooperation.
History Overview

The EU’s approach to counter-terrorism is the result of a gradual building of a multilateral response to the rising terrorism threat. EU counter-terrorism collaboration formally started in 1993 with the introduction of a framework for EU cooperation on terrorism in the Treaty of Maastricht. Yet, de facto cooperation was fairly limited until 9/11 prompted the establishment of an EU Anti-Terrorism Roadmap. 2001 also saw the introduction of the Framework Decision on Combating Terrorism and the European Arrest Warrant to enhance police and judicial cooperation across the EU. The 2004 Madrid bombings provided the impetus for the appointment of an EU Counter-Terrorism Coordinator, as well as the adoption of a new EU Plan of Action on Combating Terrorism, which has been revised every six months. The EU’s Counter-Terrorism Strategy of 2005 stressed the prevention of terrorist recruitment, protection of potential targets, pursuit of members of terrorist organisations, and the improvement of the EU’s capacity to cope with terrorist attacks. As terrorism has become an increasingly urgent threat on the radar screen of the European countries in the light of the recent attacks in Paris and Brussels, the EU has further stepped up its efforts to enhance EU-wide intelligence and counter-terrorism cooperation. Focal issues have been border checks at the circumference of Schengen, the Passenger Name Records (PNR) initiative to share records of air travellers and intelligence exchange, and effective cooperation with third parties.
The European Arrest Warrant

The EAW serves to guarantee efficient extradition of criminals across the EU. It allows EU citizens to be arrested in any member state and facilitates cooperation between the criminal’s home state and the state in which the individual is arrested. The EAW means that EU countries are obliged to surrender their own citizens to other EU countries, if they have committed or are suspected of having committed a serious crime in another EU country.

EU police and judicial cooperation in criminal matters takes 3 forms:
- Cooperation between national police forces
- cooperation between national judicial authorities
- cooperation between national administrations

Cooperation is implemented with the help of EU agencies such as Eurojust, Europol and the European Judicial Network.

Judicial & Police Cooperation

Agencies and Mechanisms

Europol

Located in The Hague, Europol is the EU’s main law enforcement body and potential gateway for intelligence sharing. Its aim is to fight European crime and terrorism. Whereby the former is combatted through specialist teams seeking to fight human and drug trafficking networks and anti-money laundering networks, Europol’s counter-terrorism measures include information sharing platforms, the ECTC, and the annual European Terrorism Situation and Trend Report.

Eurojust

Eurojust is an EU agency, which encourages judicial cooperation in criminal matters. It aims to guarantee coherent extradition procedures and facilitate communication between legal authorities across the Union. Importantly, cooperation experiences have confirmed Eurojust’s ability to coordinate synchronized legal operations across EU member states, and carry out simultaneous trials.

The European Arrest Warrant

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Judicial and Police Cooperation

While counter-terrorism legislation remains primarily a national competence where the EU’s powers to act are limited, the EU ‘can and should play a supportive role that helps respond to the cross-border nature of the threat’, according to the European Parliament.\(^4^9\) Cooperation on justice and criminal issues has, however, been labelled the ‘Achilles’ heel’ of the EU, due to the incoherent and irregular integration and exchanges between its members. Another problem for the EU in this regard pertains to the long-term commitment and development of a sustained, comprehensive European approach against terrorism.\(^5^0\)

‘Exiting the EU would enable the UK to take back control over its legislation’. The EU’s role in constraining British sovereignty has been a focal point of recent EU referendum debates. Justice Secretary Michael Gove claimed in his article in the Spectator, which explained his decision to back the ‘Leave’ campaign, that EU membership has prevented the UK from ‘being able to change huge swathes of law’.\(^5^1\) There are two European legislative frameworks that influence the UK’s human rights law: the Human Rights Act 1998 and the European Convention of Human Rights. In regards to counter-terrorism legislation, the European Court of Human Rights (ECtHR) has indeed influenced the UK’s laws on rare occasions in the past. For example, in 2010 the ECtHR ruled Section 44 of the UK’s stop and search powers unlawful due to its violation of Article 8 of the European Convention on Human Rights (ECHR)\(^5^2\) regarding the right to respect for private and family life. This landmark ruling, also referred to as Gillan and Quinton v United Kingdom, claimed that the police powers granted in Section 44 were ‘not sufficiently circumscribed’ and lacked ‘adequate legal safeguards against abuse’.\(^5^3\) In response

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Different Interpretations of ECHR

Frank Foley’s research into Franco-British differences in regards to counter-terrorism legislation found that it was not the ECHR but the principle of political asylum as upheld by the English judiciary, which impeded the deportation of Islamist extremists. While both France and Britain were subject to the ECHR and faced with the same situation, different normative contexts led to different interpretations.

(Frank Foley, Countering Terrorism in Britain and France, p.313)

‘France and Spain, to name just two other countries, do deport (…)’

(Tony Blair, PM’s Press Conference, 5 August 2005)
to this ruling, Home Secretary Theresa May abolished stop and search powers free of reasonable suspicion in 2010. Building on examples like these, the Campaign for an Independent Britain has argued that the UK will only ‘escape human rights legislation’ and take back control of its national legal system by leaving the EU.

The EU and the ECHR

‘Fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms and as they result from the constitutional traditions common to the Member States, shall constitute general principles of the Union’s law.’

(Lisbon Treaty, Article 6.3)

‘The European Convention on Human Rights is unrelated to Brexit’. Former Independent Reviewer of British Terrorism Legislation Lord Carlile of Berriew refuted pro-Brexit arguments about the limiting impact of the European Convention on Human Rights, noting that many of the European structures and legal frameworks ‘are not properly understood.’ For example, he stressed that the Convention is, contrary to its public perception, ‘not a creature of the European Union but a creature of the Council of Europe’ and therefore not directly linked to the referendum.

EU institutions are naturally bound to respect the human rights provided in the Convention under Article 6 of the Lisbon Treaty. While the ECHR predates the EU by decades and is not directly dependent on EU membership, ratification of its principles has been a condition for EU membership. The UK was among the founders of the European Court of Human Rights in 1959 and British jurists strongly influenced the Convention, which has 47 contracting parties. The perception that the EU referendum vote per se would significantly enhance the UK’s national sovereignty in regards to human rights is rooted in the misconception that the EU and the ECHR are one and the same thing.

‘The EU has impeded the UK’s ability to deal with convicted terrorists.’ A counter-terrorism expert who preferred to stay anonymous argued that the EU has substantially diminished the UK’s ability to deal with convicted terrorists, specifically referring to the Abu Qatada and Abu Hamza cases. Under the aegis of the European Court of Human Rights in Strasbourg, the UK has had to cede its sovereignty to countries that do not share the same cultural or legislative standards, according to him.

56 Interview with Lord Carlile of Berriew CBE QC. 20 April, 14.00 (GMT). Please note that any comments and opinions provided in this interview do not reflect the interviewee’s affiliation’s views.
59 Interview with UK-based counter-terrorism expert. 6 May 2016, 10.30 (GMT).
60 European Court of Human Rights, ‘Case of Othman (Abu Qatada) v. The United Kingdom’, (Application no. 8139/09, 17 January 2012, online: http://hudoc.echr.coe.int/eng?i=001-108629#"itemid":["001-108629"].)
'The Luxembourg Court has direct effect and is far worse than the Strasbourg Court.' The UK is – in contrast to most continental European countries – a ‘dualist’ state, so international treaties are implemented through domestic legislation, which the Parliament passes. In regards to the ECHR, the UK has a margin of appreciation for the implementation and so it can manage its relationship with the Strasbourg Court under the European Convention Court. As long as it sticks to the ‘margin of appreciation’ and does not violate key principles of the ECHR, it will not get expelled from the Council of Europe. Raab noted that this does not apply for EU law, which unlike the Strasbourg Court has direct effect and is therefore ‘far worse’. Referring to a statement made by Attorney General Dominic Grieve in front of the House of Lords EU committee in 2015, he argued that the EU’s Luxembourg Court has ‘predatory habits’ inimical to UK practices and interests.

‘The fact that terrorists can exploit gaps between different jurisdictions gives me a headache’. Former head of the OSCE Borders Unit and former CSDP Planner for Integrated Border Management at EEAS Henry Bolton pointed to problems related to the gaps between different jurisdictions, which can be exploited by criminal organisations and terrorists. The EU’s freedom of movement principle has exacerbated cross-border crime, as it allows criminal individuals to move unhindered between different jurisdictions without any monitoring and to exploit the obstacles of communication that occur between different organisational structures.

‘EU law has made it possible to extradite innocent British citizens to face rough justice in Romania and Bulgaria.’ Dominic Raab explained that EU law has made it much harder to deport foreign national offenders due to Charter of Fundamental Rights and Free Movement rules. Perversely, at the same time, EU law has ‘made it easier to extradite innocent British citizens to face rough judicial systems in countries such as Bulgaria, Romania, Greece and Hungary’, as the cases of Andrew Symeou, Michael Turner and Keath Hainsworth have shown. Furthermore, Raab claimed that even if the UK was to leave the EU, it would have ongoing extradition relations with the EU, just like it has extradition relations with countries all over the world. Independent reviewer of terrorism legislation, David Anderson QC, also indicated that continuing extradition relations would be ‘very likely’.

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62 Interview with Dominic Raab MP, 11 May 2016, 17.00 (GMT).
63 Interview with Henry Bolton OBE. 12 May 2016, 10.30 (GMT).
64 Interview with Dominic Raab MP.
68 Interview with Dominic Raab MP.
‘The European Arrest Warrant has been a useful tool for security forces.’ Lord Carlile noted that the European Arrest Warrant has worked well in both the UK to obtain the arrest of people wanted in the EU and elsewhere to obtain the arrest of people wanted for trial in the UK. He emphasised that their successful implementation is, however, ‘dependent on the relationship between EU member states’. According to him, the arrest warrant system across Europe has been considerably improved and aspects that have been subject to criticism such as the arrest of individuals charged with relatively trivial offences in Poland have been reformed by the Administrative Courts, which deal with judicial review. This ensures that the use of the European arrest warrant is not disproportionate and does not breach article 8 of the Convention. Furthermore, the former counter-terrorism watchdog noted that The European Court of Human Rights has approved the British approach to these procedures, which operate more speedily than in the past. In accordance with Lord Carlile’s assessment, former head of the Metropolitan Police’s Homicide and Serious Crimes Command Simon Foy stated that while the EAW are maligned by the media and tend to hit the headlines for all the wrong reasons, it is a very useful and effective tool for security forces. The exponential growth of EAW cases from a few hundred in 2004 to tens of thousands in recent years is a clear indicator of the framework’s effectiveness, according to him.

Renegotiating the European Arrest Warrant may be difficult. Lord Carlile said that he can see Brexit ‘causing potentially insuperable difficulties in the renegotiation of the European Arrest Warrants’. He stressed that the UK would have to negotiate separate agreements with every country that falls within the European Arrest Warrants arrangement and warned that bureaucracy would be tortuous, slow and probably unfulfilled in some cases. ‘We do not have the human resources to renegotiate with 27 countries for the European Arrest Warrant’.

Pending EAW for Norway & Iceland

Although the EAW agreement between the EU and Norway and Iceland was signed in June 2006, it has still not entered into force.

(L292, Treaties Office Data Base of EEAS)

‘We do not have the human resources to renegotiate with 27 countries for the European Arrest Warrant’

(Interview with Lord Carlile)

70 Interview with Lord Carlile of Berriew CBE QC.
71 Ibid.
73 Interview with Lord Carlile of Berriew CBE QC.
74 Ibid.
would be ‘much more difficult to negotiate individual bilateral deals with some of the more recent EU members, in particular some of the smaller former Soviet countries’, he concluded.75

‘We will make our own mistakes rather than let others make mistakes on our behalf.’ Douglas Murray76 stressed that the one of the most concerning aspects of the EU, particularly now, is that Britain is reliant on the terrible errors of judgement from across the entire project. Last year has shown that ‘the continent’s future is not safe in the hands of Angela Merkel and the European Commission’. By leaving the EU, he noted, the UK will rely again on its own judgement and errors of judgement ‘instead of letting others make mistakes for us for which we have no remedy’.77

‘Cooperation with weaker European partners is essential to increase their and our safety.’ In an interview with the BBC, Europol Director Rob Wainwright stressed the UK’s important leadership role in shaping the EU’s response to counter-terrorism, indicating that the UK’s expertise was in particular needed at a time ‘when security threats are increasingly planned and coordinated across borders’.78 A 2005 report written by Lord Carlile examined counter-terrorism laws across ten selected countries79, concluding that while counter-terrorism legislation around the world is remarkably similar, enforcement and levels of cooperation vary dramatically. Referring to this report, Lord Carlile told us that although ‘we have more to offer, for example to Belgium, than Belgium has to offer us in terms of counter-terrorism practice, cooperation with our Belgian partners is crucial to increase our and their safety. Questions remain open in regards to which issues should be addressed through the EU and which ones should exclusively be dealt with on a national level.

‘Europe does not have much sway in regards to the UK’s counter-terrorism network.’ Major-General Chapman80 argued that Europe does not play a significant, strategic role in the UK’s counter-terrorism activities. As an example, he mentioned the Counter-Terrorism and Extremism Liaison Officers (CTELOs) of the Metropolitan Police81 that support other countries to investigate and prosecute terrorists who may threaten the UK. These officers are

75 Ibid.
76 Interview with Douglas Murray. 11 May 2016. 14.45 (GMT).
77 Ibid.
80 Interview with Major-General Chip Chapman.
strategically located in countries overseas where the threats emanate from, such as Afghanistan, Pakistan, Yemen, Somalia and Nigeria rather than EU countries. He argued that the EU therefore ‘does not have much sway’ in regards to the UK’s counter-terrorism network.82

‘European security cooperation is essential to respond to transnational threats.’ Former Counter-Terrorism Minister Hazel Blears emphasised the international nature of the threats that the UK is faced with, concluding that it is therefore of high importance that British security forces cooperate with partners across the world ‘but also, and in particular, across the European Union’.83

Likewise, Lord Carlile indicated that EU-wide coordination is paramount in areas such as energy security, counter-terrorism and cyber security. For example, information sharing is facilitated by EU agreements, and the flexibility of regulatory authorities in regards to cyber data mining is enhanced by EU-wide cooperation.84 She commented that the recent atrocities in Paris and Brussels demonstrated that security cooperation with the EU is becoming ever more important.85 As highlighted by former MI6 Director of Operations and Intelligence Nigel Inkster, the US has become less active in global counter-terrorism operations during the past years and the UK’s closest ally plays now a less front-running role than it did in times of al-Qaeda.86

‘The varying performance of European security services threatens Britain’s security.’ In an interview with BBC Radio 4, former CIA director Michael Hayden87 levelled criticism against the EU for getting ‘in the way of the state’s providing security for its own citizens.’ He warned that security services across the EU are ‘very uneven’ in terms of capability and performance, which could pose a threat to the UK. While he rated UK and French security services as ‘very good’ and ‘aggressive’ he expressed doubt that the same was true for ‘smaller services’ across Europe, including Belgium’s. According to a UK-based counter-terrorism expert who preferred to stay anonymous, the case of Ibrahim al-Bakraoui whom Turkey had detained and warned Belgian authorities of in July 2015 illustrated the poor quality of information sharing and security service cooperation in continental Europe.88

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82 Interview with Major-General Chip Chapman.
83 Interview with Rt Hon Hazel Blears. 8 April 2016, 11.00 (GMT).
84 Interview with Lord Carlile of Berriew CBE QC. 20 April 2016, 14.00 (GMT).
85 Interview with Rt Hon Hazel Blears.
86 Speech by Nigel Inkster CMG. ‘Brexit and Britain’s security – the operational perspective’. ECFR, 20 April 2016.
88 Interview with UK-based counter-terrorism expert.
‘Brexit will not make a big difference to judicial and security cooperation.’ Professor Peter Neumann of the International Centre for the Study of Radicalisation and Political Violence (ICSR) maintained that the security and counter-terrorism cooperation was one of the areas where the ‘footprint of the EU is the lightest’ and where neither a ‘Leave’ nor a ‘Remain’ vote will make much of a difference. For him, the European Arrest Warrant and Europol, which is likely becoming a stronger and more important institution over time, are the only exceptions, as they have proved useful for the UK. According to International Security Director of the Asia-Pacific Foundation Dr Sajjan Gohel, judicial and police cooperation with Europe will continue regardless of Brexit. Even now, the UK maintains a loose affiliation with the EU’s security policy without being immersed in it. It has been able to benefit from information sharing agreements without being part of Schengen and EU security cohesion projects.

‘Dialogue would not be of the same depth, intensity and transparency.’ For Lord Carlile, it is unrealistic to achieve the same level of cooperation from outside of the EU, as ministers would not routinely be ‘sitting around the same table’ in the Council of the European Union anymore. To recreate this form of cooperation would take a minimum of five years, if it could be achieved at all. He noted that three and a half years ago no one had known about the threat that IS would pose to the UK. In the same vein, Blears noted that although Britain would likely be possible to continue to have some dialogue, this would not be of the depth, intensity and transparency as it can be as a member of the EU. Regular meetings at the ministerial level are necessary to build trust, which is essential for security and intelligence cooperation, she said. Blears therefore believes that it would be very difficult to build strong relationships of trust with other EU member states from outside.

‘Brexit would be a waste of existing relationships and structures’. NATO’s Head of the Counter-Terrorism Section Juliette Bird maintained that Brexit may not be particularly impactful for either the UK’s national security or the EU’s overall security. ‘The EU is of course only one option for the UK in terms of multinational fora’, with the UN Security Council, the G7 and OSCE on the hard security side and Global Counter Terrorism Forum (GCTF) in the CVE and civil counter-terrorism area. However, leaving the EU ‘would be a waste’ of relationships and structures the UK has helped to build up until now, according to her. This is particularly true for her when it comes to the overall intelligence that the EU has over situations such as terrorist threats, and the intelligence and police relations particularly through Europol.

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89 Interview with Professor Peter Neumann. 3 May 2016, 15.00 (GMT).
90 Interview with Dr Sajjan Gohel. 4 May 2016, 16.30 (GMT). Please note that the comments and opinions provided in this interview do not reflect the views of the interviewee’s affiliation.
91 Interview with Lord Carlile of Berriew CBE QC. 20 April 2016, 14.00 (GMT).
92 Interview with Rt Hon Hazel Blears.
93 Interview with Dr Juliette Bird. 18 April 2016, 10.00 (GMT). Please note that the comments and opinions provided in this interview do not reflect the views of the interviewee’s affiliation.
94 Ibid.
'If Boris Johnson is successful and becomes PM, he will spend the rest of his life negotiating the exit'. Building on the classical institutionalist argument of transaction costs, Benjamin Kienzle, Marie Curie Fellow at King’s College, stressed that the UK would have to develop new forms of collaboration and ‘negotiate from scratch’ with European countries, which would at least in the short term entail bureaucratic hurdles and incur additional costs. Making use of established EU structures thus does not only facilitate multilateral cooperation on novel issues but also decreases overall transaction costs, as the UK would otherwise have to set up new arrangements for every newly arising challenge that requires regional cooperation. Professor Christoph Meyer of King’s College commented that anyone concerned about the EU’s bureaucracy should be even more concerned about the bureaucracy that Brexit would incur, as this will occupy civil servants and prevent them from pursuing other projects for years. ‘If Boris Johnson is successful and becomes PM, he will spend the rest of his life renegotiating the exit’, the anonymous European academic joked. He claimed that it will take ten to fifteen years for the UK to negotiate its way out of the EU and there will be legal uncertainty for certain contracts. His estimations are consistent with the conclusions provided in an official 2016 government report, which stated that Britain’s exit could take more than 10 years.

‘Europol does not add much value to global counter-terrorism.’ In stark contrast with this statement, Robin Simcox, Margaret Thatcher Fellow at The Heritage Foundation, argued that Europol does not make an essential contribution to the UK’s or the world’s counter-terrorism efforts, as its role does not go beyond coordination. He noted that Europol has no power of arrest and does not make any operational difference today.

Europol’s Powerlessness

‘(…) Any operational action by Europol must be carried out in liaison and in agreement with the authorities of the Member State or States whose territory is concerned. The application of coercive measures shall be the exclusive responsibility of the competent national authorities.’

(Treaty of Lisbon, Article 69G)

95 Interview with European academic. 11 April 2016, 14.00 (GMT).
96 Interview with Dr Benjamin Kienzle. 20 April 2016, 15.30 (GMT). Please note that the comments and opinions provided in this interview do not reflect the views of the interviewee’s affiliation.
97 Speech by Professor Christoph Meyer. ‘Putting Brexit into Perspective: The state of play and future directions of the UK in European foreign, security, and defence policies’. King’s College London, 19 April 2016.
98 Interview with European academic.
99 Ibid.
102 Interview with Robin Simcox. 5 May 2016, 18.00 (GMT).
We might get more of Europol, if we had a different attitude towards it.’ Brexit would most likely mean that the UK has to leave Europol, although the UK might be able to negotiate a similar agreement to that of Norway to continue cooperation. The question is whether this would limit information exchange due to the absence of British liaison officers at Europol. Former Director of Global Counter Terrorism Operations at MI6 Richard Barrett noted that ‘the United Kingdom does not use Europol as much as some other states do, and Europol – like all those institutions – is generally much more useful to the smaller states than to the larger ones, but this is as much an argument for engagement as it is for remaining aloof.’ However, he pointed out that the UK might get more from Europol, if it had a different attitude towards it.

‘Bilateral collaboration would happen anyway.’ Former head of the Metropolitan Police Counter Terrorism Command Richard Walton argued that the example of Iceland, a non-EU country that is in Schengen and part of the Schengen Information System shows that information sharing can happen regardless of EU membership. ‘I find it hard to believe that the EU would no longer want us to participate in the Schengen Information System’, he said. Barrett also indicated that the UK’s ability to work with Europol was not necessarily linked to EU membership, as ‘Europol would probably nonetheless include Britain within its network’, even in the case of Brexit.

‘We have no idea what would happen. (...) Leave campaigners have failed to provide answers about the future of EU agreements.’

(Interview with Lord Carlile)

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103 Erica Moret. ‘Europe or the Open Sea? Brexit and European security’.  
105 Interview with Richard Barrett CMG OBE. 25 March 2016, 17.30 (GMT).  
107 Interview with Richard Barrett CMG OBE.
The European Counter Terrorism Centre (ECTC): Set up by the European Commission at Europol in The Hague, the ECTC provides a platform for increasing intelligence sharing and operational coordination, combining various platforms such as The Europol Information System, the Secure Information Exchange Network Application and the Passenger Name Records.

The Europol Information System (EIS): EIS is a central criminal information and intelligence database that facilitates the exchange of information on serious international crime and terrorism. Europol and all EU member states can use it to store and look up data.

Secure Information Exchange Network Application (SIENA): SIENA allows for the exchange of operational and strategic crime-related information amongst member states Europol and third party cooperation partners (e.g. US, Canada, Australia)

Passenger Name Records (PNR): The PNR offers analysis of travel routes and common risk indicators for border controls.

The Schengen Information System (SIS): SIS allows member authorities to create and consult alerts on missing persons and persons related to criminal offences as well as vehicles certificates and license plates. Although the UK is not part of Schengen, it has currently access to SIS.

European Intelligence Analysis Centre (EU INTCEN): EU INTCEN was formed in 2012 and provides intelligence analysis and reports to policy-making bodies. It does not involve the sharing of raw intelligence but rather assessed intelligence under aegis of EEAS.

The Prüm Convention: Prüm functions as a Schengen agreement on cross-border cooperation on crime, illegal migration, and terrorism. Despite operating outside of the EU framework, Prüm provisions only apply in so far as they are compatible with EU law. Although the UK had initially exercised its right to opt-out in 2014, it re-joined the arrangement following the Paris attacks in November 2015.

‘Today, European intelligence cooperation supports three main functions – law enforcement, internal security and foreign policy – although with rather different ties to the EU as such.’

In the wake of the Paris and Brussels attacks the EU stepped up its measures to enhance information sharing and encouraged member states to reinforce cooperation in intelligence.

(Björg Fägersten, EU ISS 2016)
Information and Intelligence Sharing

‘The UK is an intelligence super power way ahead of continental Europe.’ Brexit supporters such as Dr Liam Fox have argued that the UK’s security and intelligence services do not need the EU. He contended that they are ‘much better than the comparable ones on the continent, as recent events appear to have corroborated’.\(^{108}\) It is true, according to former MI6 Director of Operations and Intelligence Nigel Inkster, that the UK remains an intelligence superpower and that no other European intelligence service can match the capabilities of GCHQ and the Secret Intelligence Service (SIS). Although French and German intelligence services do theoretically have global reach, they have less intense operational activity than the UK, where in particular the GCHQ is a step ahead of all European signals intelligence agencies. This is the result of Europe’s tendency to underinvest in intelligence capabilities since the end of the Second World War. There has also been greater distrust and less tolerance towards intelligence services in continental Europe than in the UK, as can be seen from the German reaction to the Snowden allegations.\(^{109}\) The UK’s security services, on the other hand, have virtually doubled in size since 7/7 and are clearly amongst the biggest and best resourced. Apart from their significant size and funding, their ‘one secretive weapon’ is that their counter-terrorism operations are intelligence-led and see remarkably close cooperation between intelligence and police officers. In contrast to other European countries, investigations are conducted jointly by intelligence and police services which share their agenda and information and work together under the direction of a police senior investigating officer. He indicated that this intelligence-led investigation model has been successful in maximising the outcome.\(^{110}\)

‘The EU can promote common standards and cooperation’. The UK’s security services have long established, institutionalised exchange of terrorism-related information with European counterparts dating back to the 1970s. According to Inkster, intelligence cooperation with Europe has been almost exclusively bilateral and has varied in its quality. Most intelligence links have been with domestic intelligence services of other European countries because marrying the capabilities of MI6 and European domestic services can add significant value. In recent years, the GCHQ has engaged more actively with European partners, Inkster said. He indicated that while the EU’s intelligence capabilities per se are limited, the EU can do much to promote common standards and cooperation as well as exercise wider political leverage.\(^{111}\) In a similar vein, Barrett\(^{112}\) pointed to advantages in sharing costs and best practice within multilateral settings. Bilateral agreements would not provide access to the same budgets that the EU can dedicate to projects – this would be ‘a huge loss’ for the UK if it were no longer able to influence the allocation of these funds and the monitoring of their impact.

\(^{108}\) Speech by Rt Hon Dr Liam Fox MP. ‘The UK’s place in the world and EU membership’. Royal United Services Institute (RUSI). 3 May 2016.
\(^{109}\) Speech by Nigel Inkster CMG.
\(^{110}\) Ibid.
\(^{111}\) Ibid.
\(^{112}\) Interview with Richard Barrett CMG OBE.
'Access to automatic information sharing systems is key.' Former Director of GCHQ Sir David Omand stressed that information is key in regards to the UK’s national security, noting that for example the Northern Ireland peace process could be initiated thanks to intelligence-informed back channel negotiations. The EU has developed effective forms of cooperation in the fields of counter-terrorism, cyber security, protection of intelligence infrastructure and others. It is really important to receive information flows from the various EU-wide automatic information sharing systems such as the Schengen Information System rather than having to wait that partners actively provide information.113 In particular, the sharing of information about the identity of suspects, or related objects (such as vehicles and firearms and stolen goods) requires fast, reliable secure systems combined with a national capability to keep the information up to date. 114

Blears agreed that cooperation through Europol and information sharing agreements has been absolutely essential for the UK in identifying and disrupting terrorism-related activities. She pointed out that leaving the EU would leave the UK more exposed and more vulnerable to current security threats, as ‘we would no longer have the automatic machinery that has been developed over many years to enable us to share intelligence and to cooperate with our sister organisations across the EU’.115 This is in line with statements made by former director-general of MI5 Baron Evans of Weardale and former head of MI6 Sir John Sawers who argued that Brexit could decrease ‘our ability to protect ourselves’, as today’s intelligence work is ‘relies on the lawful and accountable use of large data-sets’ to uncover the networks and activities of terrorists.116

‘Criminals will sense the gap’. The UK’s Independent Reviewer of Terrorism Legislation David Anderson told the BBC that ‘Europol is (...) a very effective information hub’, which has successfully dealt with organised crime issues. To date, only 7 percent117 of its cases are

113 Speech by Sir David Omand GCB, ‘Putting Brexit into Perspective: The state of play and future directions of the UK in European foreign, security, and defence policies’. King’s College London, 19 April 2016.
114 Interview with Sir David Omand GCB, 24 April 2016, written correspondence.
115 Interview with Rt Hon Hazel Blears.
terrorism-related but the trend is one of closer cooperation and better shared data bases, according to Anderson. Foy contended that despite its shortcomings, Europol is a place where you can get information and intelligence exchanged quickly. Pointing to the international nature of all criminal threats that the UK is faced with, ranging from cyber-crime, economic fraud to human trafficking, guns and drugs and terrorism, he emphasised the necessity of having a European multinational structure in place to effectively deal with these threats. To him, leaving the EU would mean that the UK would potentially face a gap while renegotiating or replacing EU-related cooperation arrangements such as Europol. He warned that ‘criminals will sense that gap’, cease the opportunity and exploit arising vulnerabilities.

‘EU information sharing mechanisms are flawed and ineffective.’ Gove criticised the ineffectiveness of EU intelligence cooperation, claiming that the protection offered was ‘gossamer thin’. He referred to the European Criminal Records Information System, which did not provide Britain with information on whether or not criminals had entered the country. Since 2014, Europol has obtained information about 2000 jihadis, which is ‘less than half the foreign fighters known to individual EU security service’. As Europol Director Rob Wainwright stated, ‘there is a black hole of information’. Having existed for two decades, Europol’s influence has been impeded by unwilling member states, who are reluctant to hand over sensitive information. Likewise, the Europol-led European Counter Terrorism Centre (ECTC) has not received whole-hearted support from all EU member states. According to Inkster, it is still ‘too early to say what impact of that will be but encouraging to engage in greater cooperation and sharing.’

‘Multilateral information sharing speeds up investigations.’ For Foy, it is clear that multilateral arrangements are generally more effective than bilateral agreements in policing and intelligence sharing, as crime investigators need access to quick, reliable and understandable information from different places. He gave DNA checks as an example, mentioning that the Prüm Convention offers police officers access to DNA databases across Europe within minutes. ‘That would have made a huge difference for me’, referring to his time as a Senior Detective at the Metropolitan Police Service where it could take weeks or even months to obtain the same information. Blears noted that countries tend to be highly

118 BBC Radio 4, 23 March 2016.
119 Speech by Simon Foy QPM LLB.
120 Ibid.
121 ‘EU Referendum: Britain will be “less safe” outside the EU says former head of MI6’ The Independent, 8 May 2016, online: http://www.independent.co.uk/news/uk/politics/eu-referendum-britain-less-safe-outside-eu-former-head-of-mi6-a7019061.html.
123 Ibid.
125 Speech by Nigel Inkster CMG.
126 Speech by Simon Foy QPM LLB.
127 Ibid.
protective of their intelligence assets, resulting in a careful calibration of retention and disclosure in accordance with the immanence of the threat. This makes intelligence sharing ‘not very susceptible’ to a formal institutional, bureaucratic approach. However, she stressed that Europol adds substantial value to force-to-force and agency-to-agency cooperation, as it has made the digital sharing of information easier than it ever was.\textsuperscript{128}

‘The UK gives more than it gets in return’. Former director of MI6 Sir Richard Dearlove claimed in his article in Prospect\textsuperscript{129} that as Europe’s leader in intelligence and security matters, the UK gives much more than it gets in return. He also argued that European intelligence cooperation was not dependent on the UK’s EU membership. ‘If a security source in Germany learns that a terrorist attack is being planned in London, Germany’s domestic intelligence service is certainly not going to withhold the intelligence from MI5 simply because the UK is not an EU member’.\textsuperscript{130}

‘The French and the Belgians could provide at least as much’. Barrett acknowledged that Dearlove may be right in saying that Britain, as Europe’s leader in intelligence and security matters, is among the biggest contributors across a wide range. However, he argued that this might not be the case anymore for today’s counter-terrorism efforts. He noted that Dearlove was head of MI6 at a time when most terrorism-related dangers were linked to al-Qaeda. Most threats were thus emanating from Pakistan and Afghanistan, ‘where we might have more visibility’ and better intelligence networks.\textsuperscript{131} Since Belgium and France have in recent years become Europe’s hotbeds for radicalisation and targets of terrorist atrocities, terrorists are nowadays more likely to be Francophone than Anglophone, ‘(...) so the French, the Belgians and maybe other services could likely provide at least as much, if not more than the United Kingdom.’\textsuperscript{132} Sawers also commented that ‘an awful lot has changed’ since Dearlove left the intelligence world 12 years ago, as the UK is now working much closer with other partners than the US and counter-terrorism has become a ‘team game’.\textsuperscript{133}

‘Europe is greater than some of its parts’\textsuperscript{134}. All interviewees agreed that the British intelligence services are at the forefront of intelligence gathering, and that they have more weight, more authority and more knowledge than most of the other partner services in Europe. Yet, this is not necessarily always going to be the case, cautioned Barrett and concluded that it
all depends on the trajectory of the threat. In line with Barrett, Inkster\textsuperscript{135} noted that some European intelligence services have different areas of expertise. He used Poland’s strong Russia-related intelligence and Dutch, French and Spanish expertise on North Africa and the Sahel as examples. Even though British secret services aspire to be global, the UK has to set priorities and concentrate its capabilities due to resource limitations. Transnational phenomena like IS make it even more difficult than conventional threats for intelligence services to have the whole picture. Thus, access to different bits that other countries can contribute is highly important. \textsuperscript{136}

‘Security cooperation does not require reciprocal behaviour’.\textsuperscript{137} Director of Policy Planning and Special Affairs at the German Ministry of the Interior David H. Heine\textsuperscript{138} noted that Brexit would mean that both the UK and continental Europe ‘lose access to information’, which their embedment in the European security architecture guarantees. He argued that, even if the UK currently might give more than it receives from the European security and intelligence cooperation, this did not really matter in the area of security where every little piece of information can potentially make a big difference. According to him, ‘security cooperation does not require reciprocal behaviour’ in the same way as the exchange of goods does. In this sense, Brexit would be a loss for the UK.

‘The UK’s closest intelligence sharing is within the Five Eyes community.’\textsuperscript{139} Major-General Chapman emphasised that the UK’s single most important intelligence sharing mechanism is the Five Eyes alliance with 90 percent of the intelligence contribution coming from the US, particularly through the communications and electronic intelligence work by National Security Agency (NSA).\textsuperscript{140} He also claimed that the Nine Eyes\textsuperscript{141} and Fourteen Eyes\textsuperscript{142} communities (which include European states) would not be diminished, if the UK leaves the EU. ‘We don’t need to be part of a trading or a political bloc to have strong intelligence relationships’.\textsuperscript{143}

‘There are no free lunches in the world of intelligence’. Nigel Inkster noted that the situation was ‘not quite that simple’. Signals intelligence has been the cornerstone of the Five Eyes intelligence alliance and cooperation in this area is highly institutionalised, whereas other areas may be more transactional. The overall quality of US-UK intelligence cooperation is clearly higher than with any other foreign services, primarily because both parties share similar mind

\textsuperscript{135} Ibid.
\textsuperscript{136} Ibid.
\textsuperscript{137} Interview with Daniel H. Heinke, Director of Policy Planning and Special Affairs at German Ministry of the Interior, 13 April, 21.00 (GMT). This Interview was conducted in German and translated by the authors. Please note that any comments and opinions provided in this interview do not reflect the interviewee’s affiliation’s views.
\textsuperscript{138} Interview with Daniel H. Heinke, Director of Policy Planning and Special Affairs at German Ministry of the Interior, 13 April, 21.00 (GMT). This Interview was conducted in German and translated by the authors. Please note that any comments and opinions provided in this interview do not reflect the interviewee’s affiliation’s views.
\textsuperscript{139} Speech by Rt Hon Dr Liam Fox MP.
\textsuperscript{140} Interview with Major-General Chip Chapman.
\textsuperscript{141} The Nine Eyes consist of the Five Eyes plus Denmark, France, the Netherlands and Norway.
\textsuperscript{142} The Fourteen Eyes include the Nine Eyes plus Germany, Belgium, Italy, Spain and Sweden.
\textsuperscript{143} Interview with Major-General Chip Chapman.
sets and cultural habits. However, Inkster noted that in the world of intelligence there are ‘no free lunches’ and that the value of intelligence lies purely in the functioning of the capabilities that the participating services are bringing to the table. ‘The CIA are taught that there is no such thing as a friendly liaison and their instructions do not make an exception for the British’. The US-UK intelligence relationship has fluctuated over the years, according to Inkster. The no-spying agreements with US and other Five Eyes allies are ‘pretty much respected’ but the UK-US intelligence relationship is dependent on a wider spectrum, which involves defence, diplomatic and other activities. Inkster added that it may be worth considering the impacts on UK’s ‘perception’ by its international intelligence allies. If the UK cuts its formal ties with Europe, they might perceive the UK as diminished and there is a risk that they turn to Germany or other major European players instead.

‘Nobody actually wants a European CIA.’ According to Inkster, no European intelligence service has pressed for a Europe-wide intelligence service, which would not make any sense in the absence of a federal super-state. Barrett also expressed doubt that an EU-wide investigation service modelled on the FBI will come into existence any time soon. Bolton argued that in a perfect world, Europe would therefore need to develop one cohesive structure that merges the co-existing structures of the 28 member states into one overarching intelligence agency and one common police agency. Although ‘conceptionally this would be the way to go’, Bolton claimed that, in reality, the varied legal standards, cultural differences and distinct threat levels across the EU would provide for massive obstacles. Referring to his time at the EEAS, Bolton argued that, however, the alternative to a cohesive structure is to constantly fight that battle of breaking down political, diplomatic, technical barriers of cooperation and finding the lowest common denominator, which in practice often means that solutions are more consensus- than purpose-driven in the EU.

‘The EU faces an operational gap regardless of the UK’s membership’. Dr Gohel cautioned that EU-led counter-terrorism and intelligence cooperation is improving at the ‘speed of a tortoise’ while it would need to move at the ‘speed of a fox’ to keep up with the constantly evolving, multi-dimensional and transnational terrorism threat that — contrary to the EU — is free of bureaucracy. He indicated that the EU faces an operational gap regardless of the UK’s membership, as the streamlining of terrorism-related information sharing between countries and agencies is to date insufficient, although there have been improvements over the past few years. From his perspective, the next challenge for the EU will be to introduce mechanisms that allow for real-time intelligence sharing. If successful, this could provide for a strong incentive to

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144 Speech by Nigel Inkster CMG.
145 Ibid.
146 Speech by Nigel Inkster CMG.
147 Interview with Henry Bolton OBE. 12 May 2016, 10.30 (GMT).
148 Ibid.
remain in the EU. With the benefit of hindsight the UK may therefore regret Brexit, in case there are tangible signs of enhanced EU intelligence sharing tools.  

‘We can achieve a lot, if we continue with the existing process.’ The level of cross-European cooperation has not only significantly increased in areas of policing and jurisdiction but also in intelligence during the past 40 years. ‘Europol, Frontex, Schengen Information System and Eurojust form the basis and network for action’, former Security Minister and Chairman of the British Joint Intelligence Committee Baroness Pauline Neville-Jones said in her speech at ECFR. ‘There is still a long way to go but without it we would be a lot less safe than we currently are.’ She stressed that many of the mechanisms that have been developed in Europe are essential ‘not only to speed things up but to actually get things done.’ As Lord Carlile noted, EU arrangements are the products of an evolutionary process and still subject to constant improvements. ‘We can achieve a lot, if we continue with the existing process of developing structures for cooperation and the sharing of information on specific subjects’, he argued. For example, Lord Carlile suggested the establishment of a new European Union committee on sharing intelligence information specifically on terrorism, so that the security agencies can be confident that they do not have to share information that goes beyond terrorism and might jeopardise economic interests.

‘It is useful to know what the Europeans are trying to do’. Barrett underlined that the exchange of best practice across the EU is important to ensure that capacity building efforts across Europe are complementary rather than conflicting or duplicating. ‘It is useful to know what other European countries are trying to do. That happens more when everybody is seated around the same table.’ The sharing of best practice, key learnings, statistical information and analysis may become harder from outside the EU, as the UK would not have access anymore to the automatic forums for discussion that happen underneath the EU umbrella. ‘We would have to make an effort to join in and the EU member states would have to make an effort to bring us in. The more efforts are involved, the less it happens.’

‘The psychology and the politics would be very different.’ Sir Omand asserted that the EU’s information sharing arrangements can and will be improved. Staying in the EU would allow the UK to better influence the establishment of new and modernisation of existing information sharing mechanisms through EU wide or EU facilitated systems, such as Schengen II and the Prüm convention. As an example he mentioned the UK’s recently established national Cyber Security Center, which is a new model that ‘brings together the world of secret intelligence with the world of cyber security’ and could serve as a benchmark for Europe.

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149 Interview with Dr Sajjan Gohel, 4 May 2016, 16.30 (GMT).
150 Interview with Lord Carlile of Berriew CBE QC, 20 April 2016, 14.00 (GMT).
151 Speech by Baroness Pauline Neville-Jones DCMG PC. ‘Brexit and Britain’s security – the operational perspective’. ECFR, 20 April 2016.
152 Interview with Lord Carlile of Berriew CBE QC.
153 Interview with Richard Barrett CMG OBE.
154 Ibid.
155 Interview with Sir David Omand GCB.
According to Sir Omand, there is a considerable difference between being ‘in the club (…) and being regarded as part of the family’ and being the outsider. ‘The psychology and the politics would be very different, if they did not consider us as one of them.’ Although this may settle after a while, he noted, it would constitute a significant disturbance at a time of high threat levels. ‘We end up as the loser’, if the UK is not in a position to push Europe’s security policies as effectively as it can from within.\(^{156}\)

‘Information sharing would continue without the EU umbrella.’ Barrett noted that although information sharing agreements like Prüm are essentially for EU member states, there will be great interest in having Britain join, regardless of Brexit.\(^{157}\) Dr Fox commented that the UK’s close cooperation with the US and other non-EU countries shows that the UK can continue cooperation without having to compromise its sovereignty. ‘I sometimes wonder what those who run the EU think of those other 6.5 billion on the planet, how they manage to cope without the umbrella and the good offices of the European bureaucrats’.\(^{158}\)

‘Disrupted access to bulk data could impede British operations.’ Britain would need to negotiate 27 separate bilateral agreements to replicate existing agreements on the sharing of information on criminals and terrorists. As the example of Norway and Switzerland have shown, the process could be slow and ‘there is no guarantee that it would fully replicate the current arrangements’.\(^{159}\) According to Inkster, the ‘discontinuity of leaving’ will have negative consequences on some UK operational capabilities, the key one being access to bulk data sets. Similarly, Sir Omand expressed concern about the disruption of effective EU-wide security and intelligence arrangements in the case of Brexit. Professor Neumann also noted that the main concern was that there could be a period of uncertainty during which Britain will be cut off or have uncertain access.\(^{160}\)

‘It is not in the Europeans’ interest to disrupt intelligence sharing.’ Fox strongly disagreed with Inkster and Sir Omand. He emphasised that it would be in the national interest of other European countries to continue intelligence and information sharing arrangements regardless

\(^{156}\) Speech by Sir David Omand GCB.

\(^{157}\) Interview with Richard Barrett CMG OBE.

\(^{158}\) Interview with Rt Hon Dr Liam Fox MP, 4 May 2016, 17.00 (GMT)

\(^{159}\) HM Government. ‘Alternatives to membership: possible models for the United Kingdom outside the European Union’. March 2016. p. 39. Online:

\(^{160}\) Interview with Professor Peter Neumann.
of whether the UK is an EU member or not.\textsuperscript{161} ‘Are we really to believe that the German chancellor or the French president would willingly forgo access to British intelligence information as some form of political punishment for exiting the European Union with the consequence of increasing the risk to their own citizens?’ he asked, and noted that ‘it is ridiculous to the point of childishness to pretend otherwise’.\textsuperscript{162} He argued that it would be irrational for European governments to stop intelligence sharing during the period of renegotiation, as they would put their own citizens at risk. ‘Why would a government do that?, he asked.\textsuperscript{163}

‘The EU’s intelligence system is fundamentally flawed because it is staffed by people of 28 member states’. Dr Fox noted that the UK’s preference to cooperate with the Five Eyes community is linked to concerns over the security of information.\textsuperscript{164} According to him, it is therefore not desirable to share more intelligence with continental Europe, whose intelligence agencies ‘are not as good as the UK’s’.\textsuperscript{165} Henry Bolton\textsuperscript{166} mentioned a different problem regarding the security of information. He told us that there are at least three countries among the 28 member states whose security services were known to have links with organised criminal activity that is supporting terrorism. For this reason, the UK would not share intelligence with the EU because it cannot risk that it reaches the wrong people. According to him, the bigger an intelligence organisation is, the weaker it is, which is why bilateral or smaller multilateral arrangements are more desirable, although large multilateral settings such as the EU can create analytical capability for specific issues.\textsuperscript{167}

‘European intelligence services have much more pressing problems than spying on each other’. Sir Omand took a slightly more nuanced view on this. He agreed that it would be dangerous and could potentially put lives of agents at risk to share details of the most sensitive operations with all 27 countries. Yet, information on suspects, threat warnings and assessments should be shared, along with personal data such as vehicle registrations, passports and passenger information. He inferred that smaller countries in the EU should therefore be helped to develop their own capabilities so that they can, within their means, contribute to the overall picture.\textsuperscript{168} The fact that there are no no-spying deals between UK and European services is not problematic, Inkster noted, as European intelligence services ‘have much more pressing problems than spying on each other’.\textsuperscript{169}

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\textsuperscript{161} Interview with Rt Hon Dr Liam Fox MP. \\
\textsuperscript{162} Speech by Rt Hon Dr Liam Fox MP. \\
\textsuperscript{163} Interview with Rt Hon Dr Liam Fox MP. \\
\textsuperscript{164} Ibid. \\
\textsuperscript{165} Ibid. \\
\textsuperscript{166} Interview with Henry Bolton OBE. 12 May 2016, 10.30 (GMT). \\
\textsuperscript{167} Ibid. \\
\textsuperscript{168} Interview with Sir David Omand GCB. \\
\textsuperscript{169} Speech by Nigel Inkster CMG.
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‘It’s not quite that simple’. Nigel Inkster indicated that the public discourse surrounding intelligence, in particular regarding the UK’s relationship with the US and the Five Eyes, is largely oversimplified. Likewise, Sir Omand indicated that the Brexit debate on the future of intelligence sharing, in particular the grossly over-simplified talk of a European Intelligence Agency, has failed to distinguish between the strategic, operational and tactical level. At the strategic level, the mechanism is the INTCEN supporting the EEAS and the Council of Ministers. Nations like UK already share strategic assessments, as made by the Joint Intelligence Committee in London. ‘Nations need to develop their assessment capabilities, build up expertise and ensure that the INTCEN has the highest quality staff to collate the national assessments and advise the Council.’ At the operational level, for counter-terrorism, member nations should be encouraged to set up the equivalent of the UK Joint Terrorism Analysis Centre, which provides a forum for all national agencies and law enforcement. Such centres can then be securely joined in a communications network that will enable rapid sharing of threat assessments and warnings (including guidance to overseas businesses and tourists) as well as operational level papers on such matters as the latest terrorist modus operandi. At the tactical level, covert investigations themselves will continue to be a national responsibility, involving support from other member states when relevant and necessary for example when suspects are believed to travel to or have links to other member states. This works well for the major EU states, but capabilities within some smaller states need to be improved. It is very important that within the nations there is improved collaboration between intelligence services (domestic and external) and law enforcement. He further recommended that Europol continues to act as a ‘tactical clearing house’ when needed and facilitates contact between investigating police services but does not conduct its own investigations. The need for very high levels of security rule out EU-wide dissemination of information on current covert operations. When suspects are identified and it would not prejudice ongoing operations then the information systems described above exist to alert partners (and allies such as the US and Canada) for example if their location is being sought.

‘A weaker Europe would be a net lose-lose’. Sir David Omand warned that the ‘UK would be the loser not the gainer of Brexit’, as the Britain’s security is to a large extent dependent on continental European security. ‘The safer Europe the safer we are’, he said. The fact that the UK

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170 Ibid.
171 Interview with Sir David Omand GCB.
172 Ibid.
173 Interview with Sir David Omand GCB.
174 Ibid.
175 Ibid.
176 Speech by Baroness Pauline Neville-Jones DCMG PC.
is leading intelligence and security in Europe makes UK expertise and experience an even more important contributor to European security. Even though the UK is frustrated working with European intelligence and police pre-emptive operations, leaving the EU table just after tragic events in Paris, Brussels and Copenhagen, and the refugee crisis, does not improve chances of strengthening Europe’s overall security.\textsuperscript{177} Barrett took a similar line. Although the UK’s effective intelligence agencies and police forces may protect the country from an immediate attack, he argued that Europe and its surroundings should not be neglected. While national policy may be at the core of the UK’s security strategy, ‘a country’s security is best protected when it engages in all the rings’ that surround it. According to Barrett, the second ring that impacts the UK’s security is Europe and the third ring is made up by countries of the Middle East and North Africa.\textsuperscript{178} In the same vein, Baroness Pauline Neville-Jones noted that the UK’s long experience of practicing police and intelligence cooperation ever since the IRA has made it a valued partner for European countries that face shortcomings in this field. She emphasised that it is in the UK’s interest share its expertise and help Europe develop the same capabilities, as a weaker Europe would also weaken the UK and therefore constitute ‘a net lose-lose’ situation.

\textsuperscript{177} Speech by Sir David Omand GCB.
\textsuperscript{178} Interview with Richard Barrett CMG OBE.
Case Studies

**CASE STUDY 1: Failure of Security and Intelligence Cooperation: Paris and Brussels**

Europol’s efforts following the Paris attacks last November led to the assignment of more than 60 officers ‘to support the French and Belgian investigations’. However, their efforts have come under ‘withering scrutiny’. Officials and experts stressed the severe lack of coherent and regular sharing of intelligence between EU countries in the aftermath of the November attacks in Paris, which provoked societal fear and the deployment of national armies in both Brussels and Paris. Notably, although the suspects were known to security services, they ‘did not know how to properly use the information to prevent the terrorist act from taking place’.

According to Josef Janning, Head of ECFR in Berlin, the exchange of information occurs rapidly following attacks, yet the issue derives from the lack of preventative intelligence sharing, helping to anticipate and evade future attacks.

The failure to cooperate on intelligence sharing was highlighted again following the Brussels attacks in 2016, where Senior Analyst for the Global Center on Cooperative Security, Eelco Kessels, argued that the reluctance of EU members to share intelligence ‘has slowed progress in fighting terrorism in the EU’. Relatedly, the existence of a Union with free borders for its citizens and the lack of a coherent intelligence system has been referred to as a contradiction. For instance, despite being questioned early in 2015 by the Belgian police, Jihadist brothers Ibrahim and Salah Abdeslam were neither detained by French or Dutch police because Belgian authorities did not inform them. This has also been highlighted as one of the main reasons why Belgian authorities took so long to capture Salah Abdeslam. Europol, however, rapidly sent around 500 leads on the brothers to French authorities following the November attacks, ‘linking them to firearms, drug trafficking, people smuggling’.

Often, protection of domestic intelligence sources is stressed as the main reason for the lack of sharing across the EU. However, the implications can evidently be significant. Another example - although the Paris perpetrator Adelhamid Abaaoud, subsequently killed, was in France, French officials ‘were not made aware’ by any EU member state about his entry into France.
Additionally, following the November attacks in Paris, which were carried out with firearms and not explosives, the European political blind eye towards the free flow of weapons in the Union has been criticized. Brian Johnson-Thomas (‘an arms trafficking expert who has worked for the UNSC and EC on tracking guns into the EU’) accused European security forces of neglecting the extensive challenges that derive from the free movement across borders of ‘the huge amounts of assault rifles and ammunition left unaccounted for after the various Balkan upsets’.  

As EU members have dissimilar legal regulations on the deactivation of guns and firearms, particularly since the accession of certain Eastern European states, a legally bought weapon in some states may not be legal in others. The free movement across borders through the Schengen agreement, in combination with such legal inconsistence, therefore makes it easier for Jihadists to transport arms across EU member states. Although the EU recently began paying attention to the issue, intelligence on illegal weapons remains ‘patchy’ following the Paris attacks.

Particularly Belgian laws are known to be divided and complex, and the country furthermore has ‘a pedigree of gun manufacturing’ in the Wallonia region. Claude Moniquet, co-founder of the European Strategic Intelligence and Security Centre, argues that evidence is ‘mounting’ that the Belgian gun-trade has benefitted IS jihadists. Arguably 90 percent of weapons circulating in Belgium originate from the Balkans.

In light of the Brussels attacks the lack of intelligence sharing and coherent approach furthermore enhance the ease with which the attackers can therefore plan their operations undetected. Importantly, as Belgian intelligence service span across manifold institutions and agencies, and that the civil state security service is separated from its military equivalent, the internal coordination necessary to fight terrorism in Belgium is lacking. Such lack of internal coordination mirrors that between EU member states which, in essence has led to the same effects, albeit between member states. However, this would pose significant questions over the issue of domestic sovereignty of EU member states.

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189 Ibid.
191 J. Mchugh. ‘Brussels Airport and metro Bombings: Could EU Intelligence Sharing Have Stopped Belgian Terror Attacks?’
CASE STUDY 2: Success of Security and Intelligence Cooperation: Rawti Shax


Although launched in Italy, the coordination and exchange of information endured for years and included various EU member states such as Germany and Switzerland, helping to reveal ‘the structure and operations of this terrorist organisation’\footnote{Eurojust. ‘Joint Action against radical Islamist Terrorist group coordinated at Eurojust (Operation JWEB).}. In the case of Rawti Shax, the terrorist cell was said to be active on darknet platforms, making the organisation difficult to penetrate.\footnote{BBC News. ‘Jihadist cell in Europe “sought recruits for Iraq and Syria”’. BBC News. 12 November 2015. Online: http://www.bbc.co.uk/news/world-europe-34802317.}

Rawti Shax, an al-Qaeda affiliated branch, is an anti-Kurdish organisation aiming to violently replace Kurdish leaderships with Sharia Law. Importantly, the group has been found to offer support in the forms of logistics and finance to foreign fighters, subjected to training in Syria, seeking to ‘train them for future conflict in Kurdistan’.\footnote{Eurojust. ‘Joint Action against radical Islamist Terrorist group coordinated at Eurojust (Operation JWEB).}

Whereby the operation was led and coordinated by Eurojust, authorities in Switzerland, Italy, Germany, Finland, Britain, and Norway carried out simultaneous raids of more than two dozen properties to detain electronic devices and documents across the EU. Although some suspects are believed to have still travelled to Syria to join groups such as IS or Al-Nusra, the efficient cooperation between member states regarding the exchange of information, and requests for mutual legal assistance, saw the Eurojust-led operation lead to the arrest 13 of members including its leader Mullah Krekar.\footnote{Ibid.}

Beyond the exchange of critical intelligence, the issue of the coherence of judicial measures saw the focus shift on to tasks such as identifying the appropriate national and supranational authorities involved, the clear formulation of the European Arrest Warrant, as well as common understandings of issues such as extradition and trialling. Importantly the draft letters, which had been exchanged prior to the operation, resulted in ‘excellent cooperation between the authorities’.\footnote{Ibid.}

The leader of the operations group Gen Giuseppe Governale referred to the operation as ‘the most important police operation in Europe in the last 20 years’, and is suspected to have prevented attacks on Norwegian and British diplomats.\footnote{BBC News. ‘Jihadist cell in Europe “sought recruits for Iraq and Syria”’.}
CASE STUDY 3: Failure of European Arrest Warrant: Abu Qatada Extradition

In terms of European law, miscellaneous mechanisms have come under scrutiny in pertinence to extradition of terrorist suspects, particularly following the case of Abu Qatada. Abu Qatada is a suspected terrorist earlier referred to as Osama bin Laden’s right-hand man in Europe, who has been suspected of having several links to international terrorist organisations and attacks. Specifically, he was suspected of assisting the 9/11 perpetrators, and of planning the so called Millennium Attacks on New Year’s Eve of 2000. The UK fought an expensive, long legal battle to extradite him to his native Jordan, to which he returned in 2013. The British Home Office reiterates the threat Qatada poses to national security, yet the evidence his connections to a terrorist attack in 2000 remains inadequate to sentence him.

In regards to his extradition to Jordan from the UK, British officials have largely criticized the European Convention on Human Rights, and threatened to withdraw from it. The argument of the British Court of Appeal in 2008 against Qatada’s extradition from the UK pertained to the European convention, which removes the UK’s ability to extradite suspects to any country, in which they are suspected of being subject to torture by third parties. Extradition would therefore breach the UK’s commitments to article 6 of the European Convention on Human Rights, which has served to block Qatada’s deportation from the UK from 2008-2013.

In this regard, in 2012 the ECHR ruled: ‘the applicant’s deportation to Jordan would be in violation of Article 6 of the Convention on account of the real risk of the admission at the applicant’s retrial of evidence obtained by torture of third persons.’

In the same case, however, the ECHR claimed that it would take no further action against the UK’s efforts to extradite Qatada, granted diplomatic assurances by Jordanian authorities over the treatment of Qatada, leaving PM David Cameron ‘fed up’ with Qatada remaining in the UK. Ultimately, Britain accepted the Jordanian assurances in May 2013, facilitating Qatada’s return to Jordan. However, questions in Britain remain over the ECHR’s impacts on the UK’s ability to extradite terrorists.

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199 European Court of Human Rights, ‘Case of Othman (Abu Qatada) v. The United Kingdom’.
201 Huffington Post. ‘Abu Qatada Deportation Battle Has Cost £1.7m, Theresa May Tells MPs’. 14 June 2013. Online: http://www.huffingtonpost.co.uk/2013/06/14/abu-qatada-theresa-may-cost_n_3441513.html.
203 European Court of Human Rights, ‘Case of Othman (Abu Qatada) v. The United Kingdom’.
204 Ibid.
CASE STUDY 4: Success of European Arrest Warrant: Salah Abdeslam Extradition

As with security and intelligence cooperation, there are positives to take regarding EU legal mechanisms, despite the negative arguments. The EAW’s function in the case against Paris perpetrator Salah Abdeslam has for instance facilitated cooperation between authorities in Belgium and France on the legal cases against him.

Following his arrest in Belgium, Abdeslam was subject to questioning about shootouts in Belgium between him and the police. Only once these were done could he be transferred to the French authorities and subjected to their case against him, focusing on the Paris attacks. Initially the transfer of Abdeslam, who fought against extradition, was said by Abdeslam’s lawyer to have to wait ‘several weeks’. 207

However, with his surrender to the French authorities he paved the way for authorities in Paris and Brussels to cooperate on the procedure of his transfer through the execution of the EAW. 208 In this regard, authorities in Paris had previously issued a new EAW ‘in order to speed up’ the extradition process from Belgium 209 The new EAW set out to complement the earlier one issued following the Paris strikes, and ‘aims to cover all charges against Abdeslam’.

Initially, the French statement offered Belgian authorities a two-month ultimatum for the transfer, and three months should Abdeslam appeal against it. A week later, the French Justice Minister Jean-Jacques Urvoas had reiterated that the transfer ought to be completed within ten days, ‘barring exceptional circumstances’. 210 Ultimately, four weeks after the ultimatum, Abdeslam was successfully transferred to France following the completion of his cases in Belgium. 211 He has now been trialled and charged in France. 212

Experts in the legal realm, however, have urged caution that Abdeslam’s extradition to France would not be affected by the EAW, as ‘anyone who commits a serious offence in the EU can be sent back to face justice in the country where the crime took place’. 213 Nevertheless, the execution of the EAW did allow for cross-border cooperation and a quicker, successful transferal.

The Debate

The Politicians’ Debate

Theresa May:
‘Our efforts to defeat IS will not succeed by acting in isolation’

Michael Gove:
‘EU Policies have become a source of instability encouraging both Islamist and far-right extremism’

The Practitioners’ Debate

Aimen Dean:
‘IS would see Brexit as a first step towards destruction of the union.’

Richard Walton:
‘Success in countering terrorism does not depend on any of us being members of a particular club’

The Academics’ Debate

W. Somerville:
‘In the event of Leave, (…) irregular migration would probably increase in the short and longer term’

DM Jones & MLR Smith:
‘The Schengen Agreement and the Maastricht Treaty (…) have heightened insecurity (…)’
History Overview

Prevention of terrorist attacks is one of the main focuses of the EU’s counter-terrorism strategy adopted in 2005. It involves the identification and combatting of factors pushing citizens towards radicalisation and ultimately recruitment to terrorist movements.\(^{214}\) Revised in 2014, the preventative measures include removing access to finance and logistics within the extremist organisations, as well as the legal approximation across the EU in combatting terrorism.\(^{215}\)

Although the EU has supported counter-extremism and terrorism prevention research and practice through miscellaneous programs such as the Radicalisation Awareness Network (RAN)\(^{216}\) and the Terrorism and Radicalisation project (TERRA)\(^{217}\), its Counter-Terrorism Strategy’s Prevent strand is rather focused on the sharing of information and cooperation over suspected extremists\(^{218}\). To date, the strategy thus largely neglects European cooperation and best practice exchange in regards to counter-extremism, de-radicalisation and rehabilitation programmes, therefore failing to get to the root of Europe’s terrorism problem.

This chapter will specifically address EU-related potential and challenges regarding the soft-end of terrorism prevention. Pertaining to the regular debates on the influence of European immigration on prevention, this chapter discusses not only the free movement of extremist ideas but also the free movement of people as a part of a broader terrorism prevention consideration.

\(^{218}\) European Council. EU Fight Against Terrorism.
Migration and Border Controls
Existing EU Agreements and Mechanisms

The Schengen Agreement (1985):

Europe’s open border arrangement, known as Schengen, was concluded in 1985 and took effect ten years later. The abolition of all internal border checks and the creation of a common visa policy were aimed at facilitating travel, trade and tourism and at reducing overall costs of border controls. A total of 26 European nations are part of the agreement, four of which are non-EU countries (Iceland, Norway, Switzerland and Liechtenstein). Despite their EU membership, the UK and Ireland have been able to opt out of Schengen. Schengen membership is therefore not dependent on EU membership.

Frontex is the EU’s Borders Agency, which manages cooperation between national border guards to secure the EU’s external borders.

The Dublin Regulation:

The regulation’s objective is to ensure a European approach towards asylum-seekers. It establishes criteria to determine the member state responsible for asylum application. Recently, owing to the European refugee crisis, this has come under severe pressure.

The Free Movement Directive:

Article 27 allows the EU member states to contain the free movement of EU citizens on grounds of public policy, security, or health. Citizens, subject to a rejection of rights, ought to pose a ‘present and sufficiently serious threat’ to one of these. Prior to executing this restriction member states may enquire other member states about information on the particular citizen.

EURODAC Regulation:

The EURODAC Regulation provides the framework for a European fingerprint database, containing fingerprints of asylum-seekers in the EU. The database was initially launched in 2003 but since 2015 there has been enhanced cooperation with national criminal bodies and Europol in the prevention, identification, and analysis of terrorist-threats and criminal activity.
Migration and Border Controls

The release of the Frontex 2016 Risk Analysis for 2016\(^{219}\) has prompted outrage and calls for upgrading the security of Britain’s borders.\(^{220}\) The report warned that the Paris attacks ‘clearly demonstrated that irregular migratory flows could be used by terrorists to enter the EU.’\(^{221}\) In 2015, 1.82 million illegal border crossings were detected at the EU’s external borders, which is six times as high as in the previous year.\(^{222}\) Many people have jumped to the most obvious conclusion from this report: EU membership significantly exacerbates the UK’s terrorism risk. Does it?

‘Terrorists have accepted the EU’s invitation.’ For Dr Fox, Schengen is the means by which terrorist forces will more easily move around the continent.\(^{223}\) A few days after the Paris attacks former Interpol head Ronald Noble\(^{224}\) wrote in the *New York Times* article that Schengen has created ‘an international passport-free zone for terrorists to execute attacks on the Continent and make their escape’. He claimed that the Schengen countries had failed to systematically screen passports and verify the identities of passengers who cross borders. ‘This is like hanging a sign welcoming terrorists to Europe. And they have been accepting the invitation’, Noble’s article stated.\(^{225}\) Robin Simcox agreed that terrorist groups like IS have sought to exploit the weak border controls and indeed succeeded in infiltrating Europe.\(^{226}\) Iain Duncan Smith argued that by staying within the EU the UK would be more vulnerable to a Paris style attack, as EU membership prevented the UK from checking and controlling people crossing the UK border.\(^{227}\)

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\(^{219}\) Frontex. ‘Risk Analysis for 2016’. March 2016. Online:

\(^{220}\) See for example: ‘Letters: Outside the EU, Britain would be free to spend its money how it pleased’. *The Telegraph*. 19 April 2016. Online:
http://www.telegraph.co.uk/opinion/2016/04/19/letters-outside-the-eu-britain-would-be-free-to-spend-its-money/.


\(^{222}\) Ibid.

\(^{223}\) Speech by Rt Hon Dr Liam Fox MP. ‘The UK’s place in the world and EU membership’. Royal United Services Institute (RUSI). 3 May 2016.

\(^{224}\) Ronald Noble. ‘Europe’s Welcome Sign to Terrorists’. *The New York Times*. 19 November 2016. online:

\(^{225}\) Ibid.

\(^{226}\) Interview with Robin Simcox. 5 May 2016, 18.00 (GMT).

\(^{227}\) BBC News. ‘Staying in EU “exposes UK to terror risk”, says Iain Duncan Smith’. *BBC News*. 21 February 2016. Online:
‘We have not surrendered our border controls’. Barrett expressed disagreement with Iain Duncan-Smith’s argument and emphasised that ‘we are not a part of the Schengen area, we are an island, we have our own border controls, (...) and really whether we are in or out does not make much difference to that’. Even within Schengen, he noted, it would be wrong to claim that because borders have largely been eliminated, security has been completely eroded.\(^{228}\) Similarly, Sir David Omand stressed that ‘we do have control of our borders today since we never joined Schengen’ and that any border weakness can be addressed through national policies rather than EU commissioning.\(^{229}\) In accordance with this statement, Professor Peter Neumann commented that Britain already has all the tools for managing its own borders and in fact has even more control over its border than some non-EU countries such as Switzerland and Norway.\(^{230}\) ‘Leaving the EU will not change geography’, Neumann\(^ {231}\) commented, noting that some Leave campaigners seemed to be under the illusion that by voting for Brexit they could change the geography of Europe, while in fact London will still be two hours from Brussels, whether Britain leaves Europe or not.

‘The UK borders are dependent on national capacities and resources, not the EU’. Blears commented that it is very important that Britain has adequate, strict and well-resourced border control and effective watches ‘(...) to ensure that people do not come to our country when we have suspicions about their involvement in terrorism’.\(^ {232}\) She admitted that there are some legitimate concerns about the lack of resources but agreed with Sir Omand and Professor Neumann that ‘the answer to this does not lie in leaving the EU but in looking for solutions within our country (...)’. This could include making changes to the legal framework and the availability of resources.\(^ {233}\) According to Neumann, the same is true for concerns regarding weapons smuggling. While he admitted that the EU has a problem with weapons being imported from the Balkans, he noted that not being part of Schengen enables Britain to do its own border controls as it wishes, including the interception of people and goods. ‘If they wanted to they could search every single truck that comes into Britain for an hour and a half’. It is rather a problem related to available capacities and resources on a national level and has nothing to do with the EU. Claims that the UK has had to surrender its border controls are thus misleading, he indicated.\(^ {234}\)

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\(^{228}\) Interview with Richard Barrett CMG OBE.
\(^{229}\) Speech by Sir David Omand GCB.
\(^{230}\) Interview with Professor Peter Neumann.
\(^{231}\) Ibid.
\(^{232}\) Interview with Rt Hon Hazel Blears.
\(^{233}\) Ibid.
\(^{234}\) Interview with Professor Peter Neumann.
‘The Schengen disaster means that terrorists can easily infiltrate the UK.’ According to Dr Liam Fox, ‘the Schengen disaster’ means that there is, however, an opportunity for dangerous individuals to obtain citizenship in an EU country and come to the UK. Dr Fox pointed to the millions of migrants coming to Europe from Syria, Iraq, Afghanistan, Pakistan, Eritrea and beyond. Once naturalised, these migrants would have the right to settle in the United Kingdom, just as 1.2 million EU citizens have done over the past 10 years. Most European countries are not capable of telling apart genuine refugees from economic migrants or potential sympathisers of hard-line Islamists groups. In this sense, the UK’s ability to control its own borders is thus diluted rather than enhanced by EU membership. ‘I want to get control of our borders and believe that any country that cannot do so is not a free and independent nation’, he concluded.

‘Yes, but when? In ten, fifteen, maybe twenty years?’ Professor Neumann refuted Dr Fox’ argument, stressing that in Germany, for example, no one is considering giving citizenship to the migrants who have arrived since last September and even if that was the case, it would entail a more complicated and tedious process than in Britain. This would then perhaps become a challenge in a generation’s time but is certainly not a problem now. Furthermore, he noted that the implication of Dr Fox’ statement would be to impose visas on every German citizen, which would be very harmful in commercial terms. ‘Is Britain really going to do that? I doubt it.’

The latest Migration Watch statistics revealed that Britain’s net migration numbers have almost reached record levels of 323,000. According to estimations by Migration Watch, the removal of the condition of free movement of people from the EU might reduce the country’s net immigration by up to 100,000.

(Migration Watch UK, January 2016)

‘The fact that someone has a conviction for murder is of itself not a reason for barring someone from coming to this country.’

‘We have to tell the persons we want to deny entry the reasons (...) even if this might endanger security.’

(Interview with Dominic Raab MP)
'EU law has prevented the UK from denying entry to convicted murderers.' Dominic Raab argued that border control and migration rules are fundamentally different under EU law. As the UK is currently bound by the free movement directive in Article 27, it can currently not prevent people coming from the EU entering the UK unless they represent ‘a genuine, present and sufficiently serious threat affecting one of the fundamental interests of society.’ EU law therefore imposes a far higher threshold for the denial of entry up on its member states regardless of their participation in Schengen. For example past criminal convictions alone, including convictions for murder, would not be enough to meet the threshold. Even if individuals trigger an alert in the Schengen Information System (for example because of an unexplained trip to Syria) would not suffice to bar them from entering the UK. Furthermore, Raab explained that when the threshold of denial of entry is met border forces are obliged to tell individuals who have been denied entry the reasons for their denial. This is even the case, if giving the reason might endanger national security, the Court of Justice of the European Union has ruled (in the ZZ (France) vs Secretary of State case 2014). He indicated that this Raab noted that since the free movement directive entered into force in 2006, the UK has denied entry to 11,000 people coming from the EU compared to 201,000 denied entry from non-EU countries. This ratio of 1:18 demonstrates that there is a substantial difference between the rules applied to EU and non-EU countries.

ZZ (France) vs Secretary of State 2014
ZZ is a dual Franco-Algerian national who had resided lawfully in the UK between 1990 and 2005. After leaving Britain in 2005, the Secretary of State cancelled his right of residence on the ground that it was ‘not conductive to the public good’. When ZZ was refused entry in 2006, he appealed.

The ECJ ruled ‘Under Directive 2004/381 the person concerned must be notified in writing of a decision refusing entry. (...) In addition, he must be informed, precisely and in full, of the public policy or public security grounds which constitute the basis of the decision, unless this is contrary to the interests of State security.’

(By European Court of Justice, Case C-300/11)

‘By exiting the EU, the UK could leave behind legal and practical problems related to the Dublin regulation’. According to Henry Bolton, Brexit itself would not change the UK’s border controls directly but it would change its freedom of action. The UK is responsible for its own border controls but it exercises this power within the constraints of the European framework, which add an additional layer to international law. The UK’s lack of a national strategy for managing its borders is the government’s responsibility and has nothing to do with the EU, Bolton said. Leaving would, however, change the environment in which such a strategy could

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238 Interview with Dominic Raab MP.
240 Interview with Dominic Raab MP.
241 Ibid.
243 Interview with Dominic Raab MP.
244 Interview with Henry Bolton OBE.
be developed, as there would be fewer constraints to the methodology applied for border controls. In addition to the free movement clauses in Article 27, the Dublin regulation\textsuperscript{245} has a strong impact on the UK’s border controls. According to this regulation, non-EU nationals entering through France cannot be sent back to France but have to be returned to the country through which an asylum seeker first entered EU territory. Bolton described two problems that arise from this regulation: first, the UK does not always know through which country they entered the EU, as for example Greece and Italy are not registering every migrant that arrives. That means that the person cannot be sent back, Bolton\textsuperscript{246} explained. Second, even if the country through which the individual entered the EU is known, the UK has to organise and pay for their trips. Instead of undertaking the ‘complex organisation and logistical effort’ that requires more resources and manpower than the UK has at its disposition, ‘we keep the people that manage to penetrate our borders in the back of the truck from Calais’.\textsuperscript{247} There are therefore both legal and pragmatic problems that arise from the Dublin regulation. Bolton doubted that the UK would be able to renegotiate the Dublin regulation, as it was designed to protect the integrity of Schengen, yet he did not deem it impossible.\textsuperscript{248}

‘There is no causal relation between immigration and terrorism.’ Barrett criticised Dearlove for ‘conflating immigration and the terrorist threat’. He said that he does not think terrorists need migration flows to enter countries. ‘(...) I don’t really buy the idea that the more immigrants you have the more terrorist risk you have. You may have more of other kinds of risk, such as civil disorder born of opposition to immigrants, or other social, economic and political problems. But, I’m not sure that increased immigration increases the terrorist threat.’\textsuperscript{249} Professor Neumann argued along the same lines that many Brexit supporters were conflating the immigration problem with terrorism-related threats, noting that Syrians for example cannot freely move to Britain and countries like Romania and Bulgaria are not noteworthy exporters of Islamist terrorists.\textsuperscript{250}

‘Does Immigration Induce Terrorism?’

In April 2016, Vincenzo Bove and Tobias Böhmelt published a ground-breaking econometric analysis of World Bank migrant inflow data and the number of terrorist attacks in 145 countries between 1970 and 2000. Their research found that immigration per se decreases the number of terrorist attacks. ‘If terrorism and economic development are indeed related more migration decreases the opportunity for terrorism. So banning all inflows of migrants and pursuing overly restrictive policies affecting all immigrants seems to put a country at a disadvantage.’

(Bove and Böhmelt, April 2016)

\textsuperscript{246} Interview with Henry Bolton OBE.
\textsuperscript{247} Interview with Henry Bolton OBE.
\textsuperscript{248} Ibid.
\textsuperscript{249} Interview with Richard Barrett CMG OBE.
\textsuperscript{250} Interview with Professor Peter Neumann.
‘Returning fighters who hold EU passports are the biggest threat.’ A UK-based counter-terrorism expert who preferred to stay anonymous warned of how EU passport holders who may be part of terrorist cells or have returned from IS territory, are allowed to come to the UK without restrictions. He noted that this was demonstrated by Brussels attacks perpetrator Mohamed Abrini’s ability to visit Birmingham, London and Manchester just months before the attacks. In agreement with Sir Richard Dearlove’s statements, he believed that the UK’s borders could be strengthened in the event of Brexit. 251

‘Importing terrorism from other European countries is unusual.’ Dr Sajjan Gohel pointed to the prevalence of home-grown terrorism and commented that ‘it is unusual, although not inconceivable, to import terrorism from other European countries’. 252 He estimated that leaving the EU would neither be beneficial nor detrimental to the UK’s terrorism threat and counter-terrorism capacities. ‘Even if we exit, we would continue to be a target of terrorist attacks’, Juliette Bird told us. 253 An anonymous researcher based in France, remarked that the security checks at Gare du Nord are weaker than the security controls in St Pancras. Yet, the public tends to forget that there are at least three categories of terrorist attacks that concern the UK directly: 1.) when they are plotted abroad and carried out in the UK; 2.) when they are plotted and carried out outside of the UK’s borders against British nationals living abroad; and 3.) when they are plotted and carried out in the UK. Isolation may help to prevent the attacks of the first type; however, it does not provide a solution for the second and the third category. 254

‘Brexit would pose a substantial challenge to the UK’s border forces.’ Former Head of the UK Border Force Tony Smith 255 claimed that Border Force staff who are already under ‘huge pressure’ could be faced with ‘significant policy and operational issues’ in the case of a Brexit. Budget restrictions would make it difficult to extend stringent checks to the ‘34m EU passport holders entering the country’. Instead of using e-gates for quick identity and terrorist watch list checks, border officials would have to identify the reasons for every individual’s journey. Sir David Omand 256 also indicated that an effective border controls system does not involve stopping and questioning passengers at random at the border but requires a strongly intelligence-led approach that allows for the identification and targeting of potentially dangerous individuals. For this reason, he argued, continued access to information in Europe – currently provided by the Schengen Information System and Prüm convention – is more expedient than the abolition of the freedom of movement clause.

251 Interview with UK-based counter-terrorism expert.
252 Interview with Dr Sajjan Gohel.
253 Interview with Dr Juliette Bird. Please note that the comments and opinions provided in this interview do not reflect the views of the interviewee’s affiliation.
254 Interview with France-based terrorism researcher. 6 May 2016, 19:00 (GMT).
256 Speech by Sir David Omand GCB.
‘Conflicting statements by French authorities have led to confusion surrounding the bilateral frontiers agreement.’ In March 2016, French economy minister Emmanuel Macron threatened to reconsider the bilateral Anglo-French Le Touquet Treaty, including its frontiers agreement, in the case of a Leave vote. 257 This would mean that the UK would no longer be allowed to carry out its border controls on the French side of the Channel. Consequently, David Cameron warned that Brexit would move the immigration checks from Calais to Dover and lead to camps of illegal immigrants in the UK.258 ‘Britain will face an influx of more than 50,000 asylum seekers a year if it leaves the EU, the former head of the UK Border Agency has also suggested. Rob Whiteman, former chief executive of the UKBA259, warned: ‘The bilateral treaty takes a lot of work on the French side to maintain and I think it is almost certain that if we did leave the EU the treaty would come to an end. It is not a foregone conclusion but I think it is fair for the Prime Minister to claim that the French would almost certainly bring it to an end.’

‘The jungle won’t move to Kent’. Dr Fox260 highlighted that the arrangement falls under the Franco-British Treaty of Le Touquet rather than EU legislation and would therefore not be impacted by the UK’s membership. Yet, Henry Bolton261 acknowledged that there is a risk related to the Franco-British relationship. If France withdraws from the Le Touquet Treaty and starts letting migrants from Calais crossing the English Channel before the UK has completed the negotiations of its exit agreement, Britain would not be able to send these migrants back to France, as it would still be bound by the EU Treaties and could therefore not apply international law. However, Bolton commented that in practice this situation will not occur, because ‘France would not want the headache’ of dealing with the UK sending people back into France.262 A French researcher who preferred to stay anonymous263 also asserted that Macron’s statement was not more than an empty threat, as the abolition of the bilateral agreement would not be in French interest. Dr Fox264 commented that it would create a humanitarian disaster and cause more people to flood into the north of France in the hope that they would be able to get to the UK at some point, whereas if they know there is a controlled border, the chances are relatively limited.

258 ‘Britain “faces influx of 50,000 asylum seekers” if it leaves the European Union. The Telegraph. 8 February 2016.
259 Ibid.
260 Interview with Rt Hon Dr Liam Fox MP.
261 Interview with Henry Bolton OBE.
262 Ibid.
263 Interview with France-based terrorism researcher.
264 Interview with Rt Hon Dr Liam Fox MP.
‘There is no logic to that (...) unless the French would try to punish the UK for Brexit by making the humanitarian situation worse in their own country’.

‘The destabilisation effects of the migration crisis could be dangerous.’ The French researcher265 stated that immigration waves will likely destabilise Europe on a social, political and economic level, thereby reducing community cohesion, exacerbating political polarisation, which in turn could worsen grievances and vulnerabilities that can easily be exploited by extremists. ‘I understand why the UK wants to stay out of that’, the interviewee said.

‘The UK should have an interest in limiting the destabilisation of Europe.’ Holly Young of the EU TERRA project pointed to the ‘historic fall-outs of foreign conflicts occurring years ago’ which are coming back to ‘bite us’ now and are creating new and complex security threats. She argued that the migration crisis is affecting Europe as a whole and creating dramatic social change in Europe. Rooze agreed, noting that as the crisis is destabilising the whole of Europe, including the UK, it is not in Britain’s interest to retreat and let continental Europe handle the problem by itself.266

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265 Interview with France-based terrorism researcher.
266 Interview with Magda Rooze and Holly Young, EU TERRA Project. 11 March 2016, 15.00 (GMT).
COUNTERING VIOLENT EXTREMISM

Ever since the first EU Counter Terrorism Strategy in 2005, prevention has played a central role. Prevention is defined as the ‘identification and combatting of factors pushing citizens towards radicalisation and ultimately recruitment to terrorist movements’. The 2014 revision added removing access for terrorist organisations to finance and logistics as a preventative objective embedded in the strategy. In 2015, measures were adopted to prevent terrorism-related money-laundering, and to further international cooperation.

Terrorism and Radicalisation Network (TERRA):

TERRA is a program seeking to prevent the occurrence of radicalisation, and support the process of de-radicalisation. The program assists professions, which encounter regular contact with vulnerable people, such as police officers, teachers, or religious leaders.

Furthermore, TERRA incorporates research to improve our discernment about the psychological part of radicalisation, which serves to improve the efforts of its target groups. It also provides a platform for victims and deradicalised to voice their experiences. Essentially TERRA’s efforts help improve the understanding of the crucial elements of radicalisation and prevention, as well as current trends.

Radicalisation Awareness Network (RAN):

RAN is a venue for professionals in working with prevention in the EU. RAN provides working groups in which practitioners in the field share experiences and knowledge, used for research on prevention. Professionals include police, teachers, representatives from civil society or local authority, and counter-terrorism experts. The working group’s key work has revolved around local community action in prevention, the role of the internet and social in radicalisation, the influence of terrorism and violence, and radicalisation in prisons.
Countering Violent Extremism across Europe

‘Jihadism does not respect borders and boundaries’. Sir Omand stressed that the UK will not escape extremism in Europe by isolating itself, in particular in the light of rising cyber threats. Pre-emptive, multi-lateral intelligence cooperation with European partners is needed to address today’s inter-connected problems, according to him.267

‘The EU is better suited to do CVE work than NATO.’ According to Dr Juliette Bird, the EU is in a better position than NATO to address soft-end areas of counter-terrorism: countering extremism and tackling the foreign fighter problem. Whereas NATO only brings together Ministers of Defence and Ministers of Foreign Affairs, the EU can call upon any foreign ministries, including ministries of Interior, Justice, Social Welfare and Education. In that sense the EU and NATO are complementary in the field of counter-terrorism, because the EU provides a better setting for interdisciplinary work and is better suited to tackle radicalisation problems at the community level. The EU also has a lot of resources that it puts into projects through RAN or Horizon2020 and the UK is currently part of those. It is unclear, according to her, whether the UK would be excluded from those, if it pulls out of the EU. These are areas where NATO is of no real added value, as it deals exclusively on a government basis.268

‘The EU will still want to cooperate with the UK on CVE.’ Having exported Islamist extremism to continental Europe, the UK has a moral obligation to work with its European partners on countering extremism, Simcox admitted. However, the EU framework is, according to him, not a prerequisite to help countries such as France and Belgium, as US counter-extremism assistance in Europe has demonstrated.269 In line with Simcox, the anonymous counter-terrorism expert argued the UK would still be consulted and involved in discussions on CVE. He underpinned his argument by highlighting the intense US-UK cooperation that is taking place outside of any multi-agency institutions. ‘I have constantly been asked to advise the US Department of State and Department of Defence’, he said, indicating that British CVE expertise would be highly demanded regardless of its EU membership.270

‘The EU is not in the best position tackle radicalisation in Molenbeek.’ The anonymous counter-terrorism expert does not believe that the EU would be capable of developing and implementing a clear concise strategy that reaches local levels. Contesting Bird’s argument, he said that the EU has failed to work on a community level to counter-extremism, as its primary

267 Speech by Sir David Omand GCB.
268 Interview with Dr Juliette Bird. Please note that the comments and opinions provided in this interview do not reflect the views of the interviewee’s affiliation.
269 Interview with Robin Simcox.
270 Interview with UK-based counter-terrorism expert.
focus has been on legislation and the sharp end of counter-terrorism. He referred to his experience in providing CVE advice at EU ministerial meetings after the al-Qaeda bombing attempt on Northwest Airlines Flight 253 and stressed that even then EU-wide cooperation never moved beyond theoretical discussions. Simcox also doubted that any action taken at the EU level would effectively tackle radicalisation problems in Molenbeek or parts of East London. According to him, these threats are better addressed through local authorities who are geographically better placed and have a deeper understanding of the local environment. ‘Whitehall is not the best place to solve problems in Bradford’, he said, ‘so how can it make sense to run CVE programmes out of Brussels?’.

‘A full-spectrum approach to terrorism has to include the EU.’ Along the same lines, Major Stroobants maintained that the EU’s soft power approach could make for a great tool for countering terrorism, extremism and radicalisation. He argued that when a society is attacked by all potential means, military or non-military, covert or overt, psychological warfare or cyber warfare, noting that opponents often use the full spectrum from soft to hard power that is at their disposal, the defender has to reply with his full spectrum of capabilities. For Major Stroobants, the logical conclusion is therefore closer cooperation within the EU to unleash its full soft power capabilities coupled with a hard-power entity. He agreed with Dr Juliette Bird that NATO, as a political, military organisation can approach threats with the military hard-end, while the EU can approach it with its soft power capabilities. ‘We need a comprehensive approach that combines both’, he said.

‘The UK can help Europe to get better at CVE.’ Hazel Blears noted that the fact that the Brussels attacks stroke Belgium as a surprise demonstrates high levels of unawareness of the radicalisation problem in continental Europe. She indicated that Europe lacked a concerted counter-extremism strategy that goes beyond national sharp-end security measures and deals with the ideological roots of extremism rather than merely its effects. As nature of the threat is broadly the same across Europe there is much potential, according to her, for the sharing of its experiences and best practices across the EU. She noted that the UK can play an essential role in this, as its counter-extremism policy has for a long time now been perceived as a best practice. In accordance with Blears, Lord Carlile argued that there was no evidence of any comparable country being ‘anything like as successful’ as the UK in implementing a comprehensive counter-extremism strategy. According to him, effective terrorism prevention across the EU would require an EU-wide strategy. A Prevent equivalent is much more likely to be developed on a European basis, if European home affairs ministers are sitting around the same table in the Council of the European Union. Staying in the EU therefore increases the

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271 Ibid.
272 Interview with Robin Simcox.
273 Interview with Major Serge Stroobants. 18 March 2016, 07.00 (GMT). Please note that the opinions and comments provided in this interview do not reflect the interviewee’s affiliation’s views.
274 Interview with Rt Hon Hazel Blears.
275 Interview with Lord Carlile of Berriew CBE QC. 20 April 2016, 14.00 (GMT).
likelihood to foster EU-wide cooperation in CVE and to establish an EU-wide counter-extremism strategy under the UK’s leadership.

‘The EU facilitates the sharing of best practices across Europe.’ In a similar vein, Project leader of the EU-wide Terrorism and Radicalisation (TERRA) Project Magda Rooze emphasised the importance of EU collaboration in regards to terrorism prevention and deradicalisation due to the international nature of these threats.276 The UK and Germany are internationally recognised for their expedient prevention and deradicalisation programmes, the Netherlands have been praised for their successful approaches to integration and community cohesion and Denmark’s Aarhus model provides a best practice multi-agency approach to the reintegration of foreign fighters.

‘The UK and Europe are natural partners, as they face the same threat.’ Young stressed that the problems surrounding radicalisation in the UK are more similar to those faced in continental Europe than to those encountered in the US. The geographic proximity and shared colonial history in the Middle East and North Africa makes Britain and Europe natural partners. She concluded that Brexit would therefore only leave the country isolated, noting that Europe has a lot to learn and benefit from Britain, and vice versa. Rooze and Young also mentioned that it would be financially limiting for the UK’s counter-extremism work, as the country would lose access to vast amounts of EU funding. This would make the UK entirely dependent on financial sources provided by the national government and possibly the US.277

‘IS would see Brexit as a Victory.’ ‘Former jihadist Aimen Dean278, who started working for MI5 and MI6 after quitting al-Qaeda, warned that IS and al-Qaeda supporters would see Brexit ‘as a first step in the destruction of the Union’, which they perceive as the successor to the Roman Empire. He argued that the recent atrocities in Brussels and Paris were part of a larger strategy that seeks to escalate tensions between Muslims and non-Muslims, to destabilise and ultimately ‘destroy non-Islamic institutions and states’.

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276 Interview with Magda Rooze and Holly Young. 11 March 2016, 15.00 (GMT).
277 Ibid.
Case Studies

CASE STUDY 1: The Radicalisation Awareness Network (RAN)

Objectives

RAN is a Europe-wide umbrella network of frontline or grassroots practitioners (police and prison authorities, teachers, youth workers, civil society representatives, local authorities and healthcare professionals) with the aim of preventing the radicalisation of vulnerable individuals and countering violent extremism. RAN encourages the exchange of ideas, knowledge and experiences and seeks to build a bridge between academics, policy makers and frontline practitioners. RAN is structured around working groups based on different themes and backgrounds, driven by a Steering Committee (SC) chaired by the Commission.

EU Involvement

RAN is an EU funded and EU-run CVE project. It was launched in September 2011 under the aegis of the European Commission, which funds and guides the RAN Centre of Excellence (CoE) through the Internal Security Fund – Police’. CoE uses its expertise to fund and support the EU and individual countries when requested to do so and publishes key ideas and knowledge gathered.

Achievements

Within RAN’s working groups, more than 1000 active European professionals from across the Union have set up ‘a collection of methodologies and best practices’, seeking to fulfil the objectives of RAN. Essentially RAN reaches out to vulnerable European grass roots, young people and schools in order to spread awareness of radicalisation issues. Specifically, recent efforts in the RAN Centre of Excellence have sought to make sure that scholarly considerations and research optimally helps the right practitioners, seeking to restrict the gap between research and application. Additional projects rest on cooperation between RAN experts and EU member governments on combatting extremism and facilitating dialogue, such as in Finland. Overall, the frequent organisation of RAN events across the EU serves to spread the awareness of the radicalisation issue, which has seen RAN reach its 100th activity in June 2015.
CASE STUDY 2: Terrorism and Radicalisation (TERRA) Project

Objectives

This project is composed of a European network-based prevention and learning program. The objective of TERRA is to reinforce the positive role that victims and former terrorists can play in relation to the prevention of radicalisation and providing practical guidance to specific target groups. It also aims to provide practical guidance to groups and beneficiaries such as (potential) terrorists, EU member states and frontline-workers such as law-enforcement officers, teachers, social workers, journalists, policy makers, and religious leaders. TERRA stimulates knowledge synthesis and exchange throughout the European Union, between groups and between member states. The project builds on the work of the Network of Victims of Terrorism (NAVT) and is complementary to and provides input for the Radicalisation Awareness Network (RAN) as a 'network of networks'.

EU Involvement

TERRA is an EU-funded but not EU-run CVE project. It is a project financially supported by the European Commission DG Home Affairs and carried out by partnering organisations across Europe.

Achievements

The project has entered its final stage and is expected to be concluded in June 2016. TERRA has conducted a comprehensive best practice analysis of European counter-extremism programmes to provide policy makers with recommendations for projects that can be adapted to other cultural and political contexts. It has furthermore developed a manual with recommendations for a broad group of front-liner practitioners: teachers, prison wardens, policemen, social and youth workers, journalists and policy makers. There will be a platform to exchange available materials, lessons and experiences between all member states, and to provide practical tools, advice and policy input to all the involved stakeholders. The key aim of the project is to form and expand their network ties through practitioners, which provides an educative approach when tackling extremism and radicalisation.

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CASE STUDY 3: Families Against Terrorism and Extremism (FATE)

Objectives

Families Against Terrorism and Extremism (FATE) is a pan-European project with the aim of creating an organic network of families, family-oriented organisations and counter-extremism groups working in communities across Europe to prevent radicalisation, counter violent extremism and fight terrorism. The FATE network is led by a consortium of 20 CVE groups from across Europe, such as Quilliam, GIRDS and Women without Borders. FATE boasts a diverse and interlocking support web capable of reaching into where the bulk of EU radicalisation is taking place (London, Paris and Belgium) and therefore well placed to stage a grassroots fight back.

EU Involvement

FATE is an independent pan-European counter-extremism project. It is neither funded nor overseen by any EU-related institutions. Its projects are carried out by a consortium of around 20 organisations and individuals across Europe.

Achievements

In six weeks FATE has managed to attract substantial support and since the FATE summit launch, other leading CVE groups are stepping forward to join the network and seek inspiration from its formation. FATE has achieved great success both online and offline. In one week the FATE twitter account was able to reach 1,507,000 users, and content from the Facebook account reached 2,577 users. This was thanks to many individuals and organisations from across Europe engaging with and sharing the content. FATE and its network engaged with some of the world’s leading media outlets over the course of the 6 week project, including CNN, ITN, the BBC and Al-Jazeera. Taking into consideration their average viewership, we were able to estimate an audience penetration reaching over 600,000,000. The FATE network represents a large cross-section of the CVE work carried out in Europe. From national awareness programs in schools, teachings in major Mosques and community centres, to substantial digital constituencies. Offline, through workshops, teaching, followers and interventions, we reach an estimated 167,000 families. FATE has reached a combined digital and offline audience across Europe which matches the reach of Daesh. If sustained and nurtured this could be increased and effectively reduce the number of vulnerable people turning to extremism.

FATE is an example of a successful pan-European project that had no EU-support.
The Politicians’ Debate

Michael Fallon:
‘The UK needs the collective weight of the EU when dealing with Russian aggression or terrorists’

Lord Owen:
‘There can be only one defence organisation that we can sign up to, and that must be NATO’

The Academics’ Debate

Karen Smith:
‘(Brexit) deprives the EU of a potential leader in EU foreign policy’

Richard Kemp:
‘There is no benefit in staying in the EU and national security would be strengthened if we left’

Andrew Roberts:
‘NATO – rather than the EU – has secured peace in Europe since the 1940s’

The Practitioners’ Debate

Jock Stirrup:
‘The UK can better tackle international security threats from within the EU, as the EU gives UK more leverage’
History Overview

The European Common Security and Defence Policy (CSDP), formerly operating within NATO structures but subjected to European jurisdiction with the execution of the Lisbon Treaty, is a complementary competence of the EU that functions as a supplement to national security policy. The European Defence Agency continues to contribute to a common European military strategy, in compliance with the European Security Strategy of 2003.\(^{283}\) The CSDP has divided opinions within Europe and internationally, primarily regarding the relationship between the CSDP and NATO. Who ought to provide the security in Europe? Whereby ministers in the EU are concerned about a withdrawal of US commitment to European security, and wish to develop further EU military capacity, sceptics call for duplication of resources, diversion of funds, and free riding. European cooperation in security and defence continues to primarily occur bilaterally but there is an increasing amount of sovereignty conferred upon the ESDP. The European experience suggests that cooperation ‘means different things to different governments’.\(^{284}\) On a more abstract level, trends of a ‘de-territorialisation’\(^{285}\) of security policy and so-called ‘optional wars’\(^{286}\), where the survival of the state is no longer at stake, have rendered some of the traditional security structures obsolete, have raised questions about the future of security and defence policy, and have made new forms of transnational and non-traditional means more attractive.

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\(^{285}\) Ibid., p.195.

\(^{286}\) Ibid.
The CSDP, has represented the main institution for European security and defence since the Lisbon Treaty. It seeks to provide a common European defence, relying upon political consensus. Beyond defence and military operations, the CSDP works with the management of the humanitarian side of conflict, and crisis management. Despite suggestions it resembles a duplication of NATO, the Lisbon Treaty stresses its ability to act as a complementary body.

The EDA works in accordance with the ESS and is led by the High Representative. It serves to ensure improvement and ability of military forces subject to deployment in CSDP operations. Despite the supplementary competence of the EDA, leaving the member states in control of their defence policies, the EDA contributes to the development of European defence cooperation. Through its four plans it promotes collaboration on the required armament for CSDP operations, seeks to decrease duplication and enhance efficient responses to European defence challenges. Besides Mogherini, the decision-making body of the EDA consists of defence ministers, and the head of operational units, involved in CSDP operations. Overall the EDA thus resembles the main platform working to ensure smooth planning, preparation and execution of European military operations.

The European Security Strategy

Written in 2003, the ESS serves to direct the EU’s global security strategy. It is the first joint European security strategy with the objective of combatting armament of weapons of mass destruction, international terrorism, regional conflict, failed states, and organized crime. Pertaining to the EU Neighbourhood Policy, the ESS includes calls for security and capacity building in the EU’s neighbourhood, such as the Balkans, Southern Caucasus, and the Mediterranean. Importantly, the ESS advocates for a more active role for the EU in global security.
Influence and Leverage

Implications of European integration in security and defence policy revolve around the leverage and influence of states, which are increasingly bound to international commitments and legislation. From a state-centric perspective this poses challenges when states desire to act unilaterally. The conferral of additional power upon international and supranational bodies is a product of a global paradigm shift towards new associations between nation and territory.287

As a result of modern interpretations of European security, international force is increasingly applied by states multilaterally, such as through the CSDP. In this regard, in a globalised world where relatively powerful states dominate global governance, multilateral force often rests on humanitarian grounds and threats to ‘human security’, as well as the strength and capacity of the target state.288

Member states of multilateral institutions thus enjoy enhanced global influence through multilateral arrangements.

‘The EU serves as a multiplier of the UK’s national policy.’ On 24 February 2016, a dozen former military commanders signed a letter that described the EU as ‘increasingly important pillar of our security’ and argued the EU provided the UK with the necessary leverage to address major security challenges such as instability in the Middle East, the rising terrorism threat and an increasingly nationalistic, aggressive Russia.289

According to former Foreign Secretary and Defence Secretary Sir Malcolm Rifkin, EU membership enables the UK to project its influence further than it would otherwise be able to

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288 Ibid., p. 25.
289 ‘Letters: In an increasingly unstable world, Britain can’t afford to lose the security provided by the EU.’ *The Telegraph* Opinion. Online: http://www.telegraph.co.uk/comment/letters/12170385/Letters-In-an-increasingly-unstable-world-Britain-cant-afford-to-lose-the-security-provided-by-the-EU.html.
do. He described the EU as a multiplier of national policy, noting that the UK gets the best out of the EU: it can use the EU’s shared resources and shape European foreign and defence policy while maintaining the right to veto policies unfavourable to its national interests.

‘The CSDP is not hugely relevant for Britain’s security.’ Major Stroobants, however, acknowledged that leaving the EU would not make a strong difference for Britain’s security and defence policy, which has never formally included the EU’s Common Security and Defence Policy (CSDP). As Britain’s security is mostly based on bilateral agreements and NATO’s military capabilities, the country would only invest in civil parts of EU missions. Former Permanent Under-Secretary of the Foreign and Commonwealth Office Sir Simon Fraser noted that the EU’s underdeveloped foreign policy culture and collective underachievement and EEAS’ lack of an integrative approach has been frustrating for the UK, which as a result has constantly strived to work in ‘bigger league’ (with NATO, the Security Council and the US). EEAS’ lack of finding an integrative approach to EU’s foreign policy is partly due to the ambivalence of member states such as the UK, he said.

‘Brexit means one layer less of transnational cooperation and influence.’ Dr Benjamin Kienzle pointed out that today’s international challenges related to non-proliferation, terrorism and cyber-crime have created the need for transnational and multi-layered responses with close coordination between national and regional actors, policy makers and technical experts. Although the UK would still maintain its position within UN institutions, NATO and other international organisations in the event of a Brexit, it would lose an important layer of regional cooperation. He mentioned the Iran non-proliferation negotiations as a case in point for the EU’s crucial role in providing the UK with the necessary leverage and regional support to reach a successful deal. Although this form of collaboration could potentially be pursued in more informal settings, the danger of Brexit is that ‘countries will lose the habit or working together’.

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291 Speech by Sir Malcom Rifkind. ‘The UK’s place in the world and EU membership’. Royal United Services Institute (RUSI), 3 May 2016.
292 Interview with Major Serge Stroobants. Please note that the opinions and comments provided in this interview do not reflect the interviewee’s affiliation’s views.
293 Speech by Sir Simon Fraser GCMG. ‘The UK’s place in the world and EU membership’. Royal United Services Institute (RUSI), 3 May 2016.
294 Ibid.
295 Interview with Dr Benjamin Kienzle. Please note that the comments and opinions provided in this interview do not reflect the views of the interviewee’s affiliation.

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Article 34 and the Need to Coordinate

‘Member States shall coordinate their action in international organisations and at international conferences. They shall uphold the Union’s positions in such forums. The High Representative of the Union for Foreign Affairs and Security Policy shall organise this coordination.’

(The Lisbon Treaty, Article 34)
‘The EU silences rather than amplifies its member states’ voices.’ In a rebuttal of the leverage argument utilised by pro-Remain campaigners, Bolton commented that Article 34 of Lisbon Treaty, which requires all member states to coordinate their foreign policy, has effectively silenced EU member states in international organisations. He pointed to his experience in the OSCE, noting that the EU’s coordination requirement has prevented the 28 member states from participating in any debates in the monthly Permanent Council that brings together all 57 OSCE states. Although the EU member states meet prior to the Permanent Council to agree on a common position for each agenda point, the EU ambassador (who is meant to represent their voices) is only authorised to read out the respective, concerted introductory statements but cannot actively participate in the subsequent debate. According to Bolton, the consequences of this were for example seen in OSCE debates surrounding the Russo-Georgian war in August 2008, where the 28 EU member states could not voice their opinions for fear of violating Article 34. ‘So, when we are told that it enhances our voices on the world stage that is crap’, he concluded.

‘The EU brings capacity and legitimacy’. The European academic strongly disagreed, arguing that the EU can provide the UK with capacity and legitimacy for its foreign policy. He stressed that it ‘is simply not possible’ – even for countries like France and Britain, the two biggest European countries in terms of military spending – to keep an army, an air force, a navy and a nuclear deterrent within their current budgets, unless there is more cooperation. The interviewee noted that the question under which institutions this needs to happen, within the EU, within NATO, within the West, or informally is secondary to the point that there needs to be more spending and more cooperation in general. He warned that leaving the EU will send a negative signal to cooperation partners. According to him, broad regional coalition to overcome disagreements is often needed in today’s international security structures. Furthermore, checks and balances can be helpful to eventually create legitimacy.

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296 Interview with Henry Bolton OBE.
297 Lisbon Treaty. Article 34.
298 Interview with Henry Bolton OBE.
299 Interview with European academic.
300 Interview with European academic.
‘I do not think the UK can achieve anything internationally by unilateral action’. Sir Malcom Rifkind remarked that the vast proportion of the UK’s foreign policy today is conducted on a multilateral basis. Likewise, the European academic told us that most military operations today are conducted through international organisations, such as the UN, NATO, the African Union and the EU and that is ‘very unlikely that the UK is currently in a position that it could get the Argentinians out of the Falklands (...’). According to him, the advantage of taking multilateral action consists in a combination of sharing the costs and sharing the burden. ‘No single country, maybe with the exception of the US, can actually tackle the situation in Syria. The cost would be too high and we do not have enough bullets and planes for that.’

‘EU ambitions will dilute British influence.’ Dr Fox warned of EU ambitions to replace British and French seats in the UNSC with a single EU seat. ‘Anyone who has read The Five Presidents Report, can see exactly the direction of travel.’ He cautioned that the UNSC seat would go the same way as is intended the UK’s seat on the IMF and the World Bank.

‘If the Security Council’s architecture changes, the UK is screwed.’ Major Stroobants also mentioned the review intended for the Security Council’s architecture, however, he used it as an argument for staying. The purpose of the review is to give a better representation of today’s world instead of the late 40s, he noted, so there is a chance that the seats of the UK and France would be replaced with an EU seat. As the UK will only be recognised as a global power through the EU, it would not be represented anymore as an independent nation, whether it stays or leaves the EU, Major Stroobants told us.

‘We are not leaving the EU but joining the rest of the world.’ According to Dr Fox, the EU does not only fail to magnify Britain’s interests, but its failure to deal with today’s challenges poses a threat to Britain’s security. For him, the EU is locked into a backward, inflexible and inward looking model that was designed in the 1950s’ bipolarity of the Cold War and is ‘a dangerous anchor on our national aspirations in a world where flexibility and agility will be king’.

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301 Sir Malcom Rifkind, ‘A Moderate Eurosceptic Perspective on EU Foreign Policy’. p.52
302 Interview with European academic.
303 Speech by Rt Hon Dr Liam Fox MP.
304 Interview with Major Serge Stroobants. Please note that the opinions and comments provided in this interview do not reflect the interviewee’s affiliation’s views.
305 Speech by Rt Hon Dr Liam Fox MP.
306 Ibid.
‘Brexit might lead to Scexit.’ Lord Carlile warned about the potential fracturing of the UK following Brexit. According to him, it is inevitable that the people of Scotland would like to remain in the EU. ‘Within five years we would probably have another referendum’, he said, and warned that Scotland’s independence and admission to the EU would likely lead to a strained relationship with a country with which the UK shares a land border.  

‘The EU will stay an important global force for good.’ Despite the EU’s significant gaps in military capabilities and the absence of a collective political will to tackle these insufficiencies, Vice Admiral Sir Anthony Dymock, senior British Royal Navy officer and former UK Military Representative to NATO and EU, argued that the EU does not lack power in the international security arena. He claimed that the EU is becoming better at synthesising its hard and soft power and has become an important global force for good. It is unlikely according to him, that its leadership and influence disappear due to Brexit. Considering that the EU is currently in a process of repositioning itself as international actor, it is in the UK’s interest to sit at the negotiation table and help draft a new global strategy by contributing its historic, diplomatic, military expertise.  

Britain’s Voice in Brussels  
In the realm of European security and defence cooperation the role of Britain has been crucial. In fact, since the very embryonic stages of European security cooperation in the 1990s, British efforts have consistently been central to the performance of European security policy.  
(De Wijk, 2004, pp.72-74)  

‘The British are a useful voice in Brussels.’ According to Barrett, Brexit ‘would not necessarily be significant in terms of national security, as this domain remains a member state responsibility rather than a collective responsibility. He affirmed that Britain’s day-to-day security relationships with the rest of the EU would carry on in whatever way both sides thought appropriate. However, Barrett noted that there is an advantage in staying in in terms of being able to influence European security policy: ‘We should be able to point out what needs to be done, and how it should be done, and how we could help others to do it.’ He argued that the British are a useful voice in Brussels, in discussions of security policy, the EU’s role in capacity building of other member states, as well as in the exchange of analysis and information.  

307 Interview with Lord Carlile of Berriew CBE QC.  
308 Speech by Vice Admiral Sir Anthony Dymock KBE CB FRSA, senior British Royal Navy officer and former UK Military Representative to NATO and EU. ‘Brexit and Britain’s security – the operational perspective’. ECFR, 20 April 2016.  
309 Interview with Richard Barrett CMG OBE.
The United Kingdom’s Strategic Partnerships

The UN Security Council

Britain’s permanent membership in the UNSC retains the integral British role in preserving international peace through the world’s largest multilateral umbrella. Together with other permanent members such as China, United States, France and Russia, the UK has central authority to influence decisions on humanitarian interventions and peace missions, as well as a veto against such decisions.

The Five Eyes Alliance

The intelligence sharing body consists of Britain, the United States, New Zealand, Canada, and Australia. Several countries, mainly European states, function as assisting third parties under the nine eyes or fourteen eyes umbrella, however. The umbrella serves as a platform for the five members to share sensitive intelligence and communications, and to strategically cooperate on challenges, for instance terrorism and terrorist cyber-activity.

Franco-British Relations

In Europe, Britain enjoys exceptional bilateral defence cooperation with France, a long-term ally of Britain. Recent bilateral agreements include the Lancaster House Treaty of 2010, which has guaranteed deepened Franco-British defence cooperation over contemporary threats such as the control of nuclear proliferation and cyber security and the Le Touquet Treaty of 2011, which has allowed officers of the British Border Agency to carry out controls on the French side of the Channel.

The Organisation for Security and Cooperation (OSCE)

Britain’s approach to security in Central and Eastern Europe, Eurasia, as well as transatlantic security, is offered through the OSCE. Through the development of advanced arms control mechanisms the OSCE combats non-traditional challenges such as terrorism and organised crime. The organisation further serves British interests in expanding human rights and the rule of law in the Western Balkans, Eurasia, Caucasus, and Eastern Europe.

NATO

According to the British government NATO is the ‘bedrock of the UK’s defence, and a leading instrument of (our) national security’. Signed after the Second World War to ensure transatlantic peace between the United States and European allies, NATO functions as the main instrument through which British multilateral strategic goals are pursued. The role of NATO is particularly important in lieu of wishes to increase EU military capacities. Britain prioritises NATO because of the close strategic relationships with the United States, and the venue provided by NATO, unlike the EU, solely concentrates on military and security challenges. It was signed prior to the creation of European military capacity, it has more member states, and, due to the involvement of the United States, largely superior military strength.
Strategic Relationships

‘The EU diverts resources away from NATO and threatens European security.’ Dr Liam Fox argued that the EU fundamentally undermines NATO, which he views as the cornerstone of the UK’s security since its inception. He criticised the EU’s pretensions in defence and security for being little more than a vanity project that risked duplication and diversion of funds better allocated to NATO, leading to a weaker European continent and the harming of the transatlantic alliance. According to him, EU members who are also members of NATO did not only fail to provide supplementary capabilities to NATO, they also did not provide the required capabilities to NATO. For some of them, he claimed, the EU was an excuse to spend less on defence, as they thought that they could bypass their NATO commitment by contributing soft power through the EU instead. Too many European leaders, he noted, see themselves as ‘peacekeepers’ rather than ‘war fighters’, thereby ignoring the ‘basic truth’ that peace sometimes has to be fought for and that soft security options are not always an adequate answer to heightened threat levels.310

‘Enhancing EU defence capability does not make sense’. While Dr Fox addressed the NATO-EU relationship from a structural perspective, Major-General Chapman311, coming from a military background, focused rather on the functional perspective. According to him, capability is about training, equipment, personnel, intelligence doctrine, organisation, infrastructure and logistics. In NATO, most of these capabilities are American and there are only two other nations, the UK and France, which have noteworthy capacity to lead military operations, but their capability is small compared to the US and they cannot lead operations of the same scale. For this reason, Major-General Chapman concluded, NATO must remain the predominant security organisation and although enhancing the EU’s defence capability would not necessarily make Europe or the UK weaker, it does not make sense from his perspective.312

‘Brexit could disrupt NATO-EU counter-terrorism cooperation.’ Juliette Bird took the contrary position. Although Brexit may not strongly impact NATO per se, the EU and NATO complement each other in the field of counter-terrorism. The EU’s institutions are better suited to address areas related to community cohesion and the prevention of terrorism, she noted, but said that this relationship will most likely continue in any case. However, Brexit would be a waste of existing relationships, structures and of the UK’s opportunity to influence decision making from

310 Interview with Rt Hon Dr Liam Fox MP.
311 Interview with Major-General Chip Chapman.
312 Ibid.
the inside. In a similar vein, Deputy Assistant Secretary General for Emerging Security Challenges at NATO Jamie Shea indicated that the EU had specific comparative advantages. For example, he said that he would talk to Rob Wainwright, if he wanted to know about cyber threats, and to EU officials, if he wanted to know about weapons of mass destruction. In addition to the EU’s thematic complementarity, Shea emphasised the EU’s geographic complementarity to NATO. He argued that the EU has far more expertise on North Africa than NATO does and that there should be a grand strategy of responsibility sharing with NATO looking towards the East and the EU taking care of the South.

‘Rules-based EU is better suited to address structural problems than pragmatic NATO.’ Jamie Shea remarked that the EU, in contrast to the pragmatic NATO alliance, is a fundamentally rules-based institution, which is strongly needed in today’s world of increasing chaos and rising rogue powers. He concluded by saying that Brexit could disrupt cooperation between EU and NATO, especially in the field of counter-terrorism.

‘British tax payers bear an unfair burden.’ Despite having 500 million people in the European Union, compared to the 900 million in NATO, the EU members of the alliance contribute merely 24 percent of the budget and 17 percent without counting the UK’s contribution. The fact that the US carries over 72 percent of the NATO budget can, according to Dr Fox, be seen as a sign of political and moral weakness of continental Europe, whose contribution to its own security is now lower than at end of the Cold War. He also pointed to the disproportional share that British tax payers contribute to European defence with the UK and France covering more than 50 percent of all defence spending in Europe.

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313 Interview with Dr Juliette Bird. Please note that the comments and opinions provided in this interview do not reflect the views of the interviewee’s affiliation.

314 Speech by Jamie Shea. ‘Putting Brexit into Perspective: The state of play and future directions of the UK in European foreign, security, and defence policies’. King’s College London, 20 April 2016.

315 Ibid.

316 Speech by Mark Webber. ‘Putting Brexit into Perspective: The state of play and future directions of the UK in European foreign, security, and defence policies’. King’s College London, 20 April 2016.

317 Speech by Rt Hon Dr Liam Fox MP.
‘Do we want to be a policy shaper or a taker of positions developed in Washington, Paris and Berlin?’ Simon Fraser maintained that even if the UK was to remain an influential member of NATO and a permanent member of Security Council, it would lose its powerful role as the broker of Western positions between the US and EU. ‘Rather than being policy shapers we would become the takers of positions developed in Washington, Paris and Berlin’.  

‘NATO will be dead the moment the UK leaves the EU’. According to the European academic, Leave campaigners who argue that we already have NATO and claim that the EU does not add any value to the UK’s security are making a ‘false statement’.  

318 Speech by Sir Simon Fraser GCMG.
319 Interview with European academic.
320 Ibid.
321 Speech by Jamie Shea.
322 Jamie Shea.
'The United Kingdom is at its best when it is helping to lead a strong Europe. It leverages UK power to be part of the European Union. (...) I don’t believe the EU moderates British influence in the world, it magnifies it. The EU has helped to spread British values and practices across the continent.'

(Barack Obama, April 2016)

‘The US would like to keep its partner inside the camp.’ The UK has traditionally played a very important role in holding the transatlantic alliance together and fulfilling a bridge role between the US and continental Europe at times when the French for example withdrew from NATO under Charles de Gaulle in 1966. 323 He noted that the transatlantic alliance only works because there is commitment from both the US side and from the European side; stepping outside of the EU may therefore be detrimental to this relationship. 324 Dr Juliette Bird described the Anglo-American relationship as multi-layered and said the EU constituted one important layer, as the voice of the UK within the EU is something that the Americans appear to value. 325 Barrett shared the opinion that the US has a strong interest keeping ‘a partner who is inside the camp’, as ‘they can have an increased influence on EU policy’ through the UK. 326

‘The UK will stay the US’ primary security ally regardless of Brexit because of its expertise.’ The UK-based counter-terrorism expert challenged this argument, asserting that the US currently looks to the UK rather than France or other European countries because of its cutting-edge expertise in the field of counter-terrorism and its world-class intelligence gathering capacities. The close US-UK relationship will therefore continue independent of the country’s EU membership, he argued. 327

‘Brexit would be a profound geopolitical shock.’ Founding chief executive of the European Defence Agency Nick Witney warned that Brexit would be a ‘profound geopolitical shock’ and ‘immensely damaging to the rest of Europe’. It could cause a chain reaction of nationalist and separatist movement. From Catalonia to Marine le Pen to Putin it will be damaging to our

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323 Interview with European academic.
324 Ibid.
325 Interview with Dr Juliette Bird. Please note that the comments and opinions provided in this interview do not reflect the views of the interviewee’s affiliation.
326 Interview with Richard Barrett CMG OBE.
327 Interview with UK-based counter-terrorism expert.
Major Stroobants further warned that Brexit could threaten the balance of power within Europe that was created after the Second World War. In times of turmoil and heightened threat levels in the periphery of Europe the UK should rather strive to foster closer cooperation between Berlin, Paris and London than moving away from Europe.329

‘Political sensitivity would not thwart thriving Franco-British relations.’ Researcher at Sciences Po Alice Pannier claimed that NATO and the US matter much more to the Franco-British partnership than the EU. Since the Libya intervention, operations have become increasingly trilateral (US-UK-France) and France and UK have become competitors as to who is the better ally to the US. She argued that while the impact of NATO on Franco-British relations is either positive or neutral, the EU’s impact is either negative or neutral. The CSDP, particularly the EU Operational Headquarters (OHQ), has been a source of tensions and has become a constraint to Franco-British bilateral relations. Pannier also remarked that a Brexit would create a different – potentially sensitive – political context, but she concluded that, in practice, France has no other suitable partner in Europe: the UK is the only other nuclear power and more interventionist than Germany and Italy.330

‘Inertia and resistance might characterise the Anglo-French relationship.’ Although the bilateral relationship between France and the UK would continue, the quality and output of it will depend on the political will to cooperate on both sides, said Nick Witney. He compared European defence cooperation to an exercise bike, noting that ‘the moment you stopped peddling into the heavy piece of machinery’ inertia and resistance might prevail. While he estimated that the British would be keen to keep up good relations with France, he said that the French might be more reluctant after Brexit.331 In accordance with this view, the European academic claimed that Franco-British relations would turn negative fairly quickly. Germany, ‘where people like Angela Merkel would take Brexit very personally’ would follow. Depending on the next French president, France may adopt a tit-for-tat policy, demanding the UK to pay their fair share instead of cherry-picking the

328 Speech by Nick Witney. ‘Putting Brexit into Perspective: The state of play and future directions of the UK in European foreign, security, and defence policies’. King’s College London, 20 April 2016.
329 Interview with Major Serge Stroobants. Please note that the opinions and comments provided in this interview do not reflect the interviewee’s affiliation’s views.
330 Speech by Alice Pannier. ‘Putting Brexit into Perspective: The state of play and future directions of the UK in European foreign, security, and defence policies’. King’s College London, 20 April 2016.
331 Speech by Nick Witney.
advantages of EU-wide cooperation. Along the same lines, Sir David Omand cautioned that ‘it takes two to make a bilateral agreement’; noting that enthusiasm with which an agreement is implemented depends on the context. Brexit would change the context and might therefore negatively impact Franco-British security cooperation.

‘We could end up with no friends.’ Simon Fraser argued that Brexit may negatively impact the UK’s three key bilateral relationships with France, Germany and the US. In that sense, Brexit could cause a chain reaction for the UK’s international alliances. In addition to offending our European partners, ‘Brexit would seriously offend some significant friends in Washington’, noted Sir Omand and warned that ‘we could end up with no friends’. Sir Dymock expressed doubt that there will be an immediate punishment in the form of anti-British caucusing within NATO by the remaining 21 EU member states that are also part of NATO. However, he advised voters not to take US support for either the EU’s or the UK’s military capabilities development for granted, as there was no immediate safe sanctuary in going the Atlanticist route regardless of the outcome of the next US elections. ‘I am more of an Atlanticist than a Europhile’, he said, but from his own experience in the US, he judged that withdrawing from the EU would be detrimental for all stakeholders.

‘If you compare that period since the Second World War, which is now 70 years, to the previous 70 years, it’s game, set and match for the EU. The EU has meant peace in Europe.’

(Interview with Lord Carlile)

‘It’s game, set and match for the EU from a peace-keeping perspective.’ Although it is desirable that the EU’s bureaucracy is slimmed down and its inefficiencies are reduced, these concerns are not detrimental to the UK’s national interest, according to Lord Carlile. Reminding of the real rationale of the EU, Lord Carlile highlighted that the EU has been successful in its primary goal of preventing wars and promoting a peaceful Europe. ‘If you compare that period since the Second World War, which is now 70 years, to the previous 70 years, it’s game, set and match for the EU. The EU has meant peace in Europe’.

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332 Interview with European academic.
333 Speech by Sir David Omand GCB.
334 Speech by Sir Simon Fraser GCMG.
335 Speech by Sir David Omand GCB.
336 Speech by Vice Admiral Sir Anthony Dymock KBE CB FRSA.
337 Ibid.
338 Interview with Lord Carlile of Berriew CBE QC, 20 April 2016, 14.00 (GMT).
Case Studies

CASE STUDY 1: Somalia

Problem
In 2010, around half of world-wide pirate attacks occurred in the Gulf of Aden (219 of 445)\(^{339}\), and from 2007-2011 pirate attacks increased from 61 to 176\(^{340}\). The problems stemming from piracy resemble forceful raids of vessels transiting the Gulf, kidnapping of the crews, demands for ransom money for their release, and stolen cargo and shipment.\(^{341}\) Overall, piracy contributes to regional instability, hampers international trade in an area accounting for 20 percent of global maritime trade, and thus affects economic activities worldwide.\(^{342}\)

Objectives
In 2008, EUNAVFOR Atalanta (acting under EU Council Joint Action 851) launched to tackle the problems stemming from Piracy in the Gulf of Aden. The mission’s mandate has since been widened by UN Resolution 1851, and extended by the EU Council in 2014. Currently, the mandate is extended to December 2016.\(^{343}\) The mission’s main objectives are to deter and disrupt piracy and armed robbery at sea, to monitor fishing activities off the coast of Somalia and to support other EU missions and International Organisations working to strengthen maritime security and capacity in the region.\(^{344}\)

Strategy
EUNAVFOR goes beyond EU members: Norway is involved, Serbia, Montenegro, and Ukraine have all contributed with vessels, patrol teams, or operational staff. Moreover, international partners such as NATO, or the Combined Maritime Force (CMF), led by the United States, are centrally involved and cooperate with EUNAVFOR\(^{345}\). Mainly, the EU has set up the Maritime Security Center – Horn of Africa (MSCHOA), which ensures cooperation with International partners, monitors vessels transiting through the Gulf of Aden, and aims to guarantee security for transhipping vessels and international businesses in the Gulf.

No formal EU/NATO cooperation occurs due to political blockage of the Berlin Plus Agreement. Several informal methods of cooperation, however, reveal what officials have referred to as

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342 Ibid.

343 Ibid.

344 Ibid.

345 Ibid.
‘unity of effort’ over ‘unity of command’. Such cooperation becomes more evident the further one moves away from Brussels and the political EU/NATO obstacles, such as at the shared HQ at Northwood, or on the sea.\textsuperscript{346} Importantly, the EU initially depended on NATO assets from the similar Operation ‘allied provider’ when trying to stand up ATALANTA.\textsuperscript{347} Furthermore, they share sensitive information at the shared HQ at Northwood, which functions as a fusion centre with weekly meetings where intelligence is shared and informal coordination occurs.\textsuperscript{348}

Beyond NATO, the EU works with international partners through the Shared Awareness and Deconfliction group (SHADE), an international political platform based in Bahrain aiming to coordinate international naval counter-piracy efforts. SHADE participants hold monthly meetings in Bahrain, attended by EU, NATO and international partners, functioning as the main hub for exchange of information and communication. SHADE has established the Internationally Recommended Transit Corridor (IRTC), which the participants work to keep safe. Most importantly, the communication system MERCURY functions a neutral channel, through which constant communication between all SHADE participants is maintained.\textsuperscript{349} Mercury has facilitated increased sharing of evidence of piracy, which has allowed the missions to getting pirates and suspects trialled and sentenced.\textsuperscript{350}

**Outcome**

EUNAVFOR, with international counter-piracy partners, has been highly effective in preventing attacks. In January 2011, 736 hostages and 32 ships were being held. In December 2014, 30 hostages and no ships were being held.\textsuperscript{351} This is largely due to the development of the Internationally Recommended Transit Corridor (IRTC) since 2008 by the EU and international partners.\textsuperscript{352} Furthermore, the EUNAVFOR mission has a 100 percent success rate in providing protection to World Food Program-vessels delivering aid and food to Somali People.\textsuperscript{353}

\textsuperscript{346} S. J. Smith. *The European Union and NATO Beyond Berlin Plus: The institutionalisation of informal cooperation*, pp.105-108
\textsuperscript{347} Ibid., p.105.
\textsuperscript{348} Ibid., p.132.
\textsuperscript{349} Ibid., p.136.
\textsuperscript{350} Ibid., p.137.
\textsuperscript{353} European Union External Action. ‘EU NAVFOR: Mission’.
CASE STUDY 2: Iran

Problem

In 2002 it was revealed that the Islamic Republic of Iran had not reported nuclear sites, indicating illegitimate nuclear activity, specifically with Uranium-235 enrichment. Although the initial reaction from the EU saw subsequent continued trade and cooperation with Iran, the 2005 election of Mahmoud Ahmadinejad resulted in the redevelopment of the Iranian nuclear program, which has wounded EU-Iran relations since. The cold relationship has been characterised by European oil embargos, economic sanctions and restricted access to Iranian financial services. However, as the relative moderate Hassan Rouhani took over in 2013 as President, the Iranian approach towards nuclear activity experienced a shift away from enrichment. Rather, Rouhani ‘expressed willingness to solve the nuclear issue through negotiations’ Thus, from a European Union perspective, the election of Rouhani highlighted a wind of change. With his election and willingness to negotiate, the opportunity for the EU to resume good relations with Iran, whilst being able to actively press for a reduction in nuclear enrichment, presented itself.

Objective

The primary objective of the European Union has been to guarantee the completely peaceful dynamics of Iran’s nuclear programme. Beyond the nuclear issue, improved diplomatic ties with Iran facilitate economic benefits for the Union, particularly in the fields of energy, transport, telecommunications, and agro-business Furthermore, there are certain geostrategic implications of improved EU-Iran ties. Not only would a closer relationship between Tehran and Brussels serve to reduce European oil dependency on Russia, but also, due to Iran’s influence in the middle east, provide a gateway for a more influential EU foreign policy in unstable countries such as Syria or Iraq.

Strategy

The EU is argued to have played a ‘crucial’ role in the new diplomacy with Iran and the major world powers (UNSC + Germany + EU). In November 2013 the European High Representative for Foreign Affairs Catherine Ashton chaired the EU3+3 negotiations, (attended by France, Germany, the United Kingdom, United States, Russia, and China), which led to the temporary Joint Plan of Action. Through this plan, Rouhani agreed to stop enriching uranium in excess of 5 percent, granted the members of the UNSC and Germany lifted sanctions on Iran.

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355 Ibid.
356 Ibid.
With the appointment of Frederica Mogherini as EU’s new foreign minister, the EU’s critical role in the negotiations was reflected through her efforts in crafting ‘bridging proposals on technical issues’. Her presence at all bilateral US-Iran negotiations in spring of 2015 received commendation for helping Washington and Tehran arrive at a common understanding of the agreement. Ultimately Mogherini’s efforts were crucial to reach consensus, which resulted in the announcement of the ground-breaking Joint Comprehensive Plan of Action\(^{359}\). According to this plan, Iran would enhance nuclear transparency and stop uranium-enrichment in exchange for sanctions removal.

**Outcome**

The ground-breaking nuclear agreement entered into practise in January 2016 when the compliance of Iran with the deal had been confirmed.\(^{360}\) Iran has consequently regained access to international markets for oil, finance and previously sanctioned goods.\(^{361}\) Mogherini described these improvements of EU-Iran relations as a ‘new page’ in diplomatic relations.\(^{362}\)

Owing to discontent in Tehran over Washington’s extent of compliance with the nuclear agreement, however, Mogherini, again, acted as a broker between the United States and Iran. Whilst acknowledging the challenges surrounding the deal’s effective implementation to the point where ordinary Iranians acknowledge the benefits, she reiterated that the Joint Comprehensive Plan of Action is an ‘ongoing task’.\(^{363}\) It is still too early to conclude whether the deal has any influence on EU in Syria, or dependence on Russian oil, however similarly to the case of Crimea and Sevastopol, recent EU foreign policy achievements are diplomatic achievements, which are reached through negotiation and economic pressure (sanctions). Whereby the case of Crimea and Sevastopol revolve around united European action between member states, the success in Iran is largely down to the active approach adopted by the new EU Foreign Chief. This case furthermore illustrates the crucial role of the EU as a broker between Washington and Tehran, as well as China and Russia if the first temporary agreement is included in EU successes.

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\(^{359}\) Ibid.
\(^{360}\) Ibid.
\(^{361}\) Ibid.
CASE STUDY 3: Libya

Problem

Following the fall of Gaddafi and his regime in Libya in 2011, the country has faced severe state-building challenges. In lieu of such challenges, Libya has meanwhile become an ideal hub for extremist groups such as IS and al-Qaeda, who are both growing in stature under the anarchical circumstances in the country. The conflict escalated following elections held in 2014, which installed competing governments in Tripolo and Tobruk. Ultimately, due to the lack of security, only Italy and Hungary maintained their diplomatic ties with the country throughout 2014. According to the European Council on Foreign Relations, the EU ‘failed to produce a policy capable of insulating Libya from the regional confrontation’\(^\text{364}\). Many Middle Eastern states evidently have conflicting interests in the country and support opposing groups and politicians as a result. Notably, on the ECFR scorecards, evaluating European Foreign policy, the case of Libya consistently received a grade of B-, C-, and C+, the last three years, which confirms the lack of European success.\(^\text{365}\)

Objective

The primary objective of the EU in Libya is to support the United Nations mission in Libya to implement a genuine ceasefire agreement, and further the political transition of the country.\(^\text{366}\) Since the overthrow of Gaddafi, the EU’s efforts have primarily sought to enhance the capacity of the public and security sectors in Libya.\(^\text{367}\) According to the European External Action Service the EU policy in Libya seeks to assist the domestic transition towards the establishment of a ‘democratic, stable, and prosperous state’. The objective is more specifically to set up a coherent constitution, and incorrupt and democratic institutions which seek to include all societal groups, as well as a strong civil society.\(^\text{368}\)

Strategy

The European Union has since the overthrow of Qaddafi engaged in Libya through a variety of diplomatic means. However, no associate agreement between the EU and Libya exists, however, and the latter falls outside of the scope of the European neighbourhood policy. Nevertheless, the majority of EU effort focuses on bilateral support or multilateral support through the United Nations mission in Libya\(^\text{369}\). The Union’s Libya program involves measures seeking to improve public administration, security, education and democratisation. These account for more than EUR105 million.\(^\text{370}\) Bearing in mind the insecure environment and lack

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\(^{365}\) Ibid.


\(^{367}\) European Council on Foreign Relations. Middle East and North Africa: Libya.

\(^{368}\) European Union External Action Service. EU Relations with Libya

\(^{369}\) Ibid.

\(^{370}\) Ibid.
of bilateral diplomatic ties, however, most EU support has since 2014 flowed through the United Nation Mission in Libya.\footnote{European Council on Foreign Relations. Middle East and North Africa: Libya.} In coordination with the United States, nevertheless, the EU managed to uphold the arms embargo on Libya, which served to limit European support for rebel groups in the country.

**Outcome**

Despite investing more than EUR million euros in Libya, staff from the Common Foreign and Security Policy mission in Libya (EUBAM) have been temporarily forced to relocate to Brussels or Tunis, due to ‘a deterioration in the security situation in Tripoli since July 2014’.\footnote{http://eeas.europa.eu/libya/index_en.htm} The year 2015 furthermore showcased the rapid expansion of IS in Libya, the breakdown of the government, and increased violence. European member states in this regard shifted focus onto the intensifying refugee crisis, stemming from Syria and Iraq – Libya ‘was rarely a top priority’.\footnote{Ibid.}

Towards the end of 2015 a new government was set up by the United Nations, led by new PM Fayez Sarraj. He has been in office in Tripoli since March this year, where the challenges of cementing his authority and stabilising the fragile political realm in the country remain significant. Whereby Sarraj depends substantially on foreign aid to tackle these threats, the EU has already ‘offered security help’ to enhance governmental capacity in Tripoli.\footnote{Patrick Wintour. ‘Libya offered security help by European Union’. The Guardian. 19 April 2016. Online: http://www.theguardian.com/world/2016/apr/19/libya-offered-security-help-by-european-union-fayez-seraj}

**CASE STUDY 4: Bosnia and Herzegovina**

**Problem**

Although the security and political outlook in BiH had improved since the Dayton Agreement in 1995, stability continued to lack as NATO’s Stabilisation Force (SFOR) was replaced by EUFOR Althea in 2004.\footnote{J. Knauer. ‘EUFOR Althea: Appraisal and Future Perspectives of the EU’s Former Flagship Operation in Bosnia and Herzegovina’. Eli Diplomacy Paper, 7, 2011. p.6.} Despite a significant decrease in tension (political and ethnic) between Croats, Serbs, and Muslims, the two constitutional and legal entities, BiH, and Republika Srpska, were upheld, thus preventing reconciliation and state reconstruction.\footnote{T. Bertin. ‘The EU Military Operation in Bosnia’ in M. Merlingen & R. Ostrauskaite (eds.), European Security and Defence Policy. London: Routledge, 2008. p. 62.} As physical boundaries prevailed, so did ethnic and political. Meanwhile the central governments proved too weak to guarantee stability and security despite the efforts of SFOR.\footnote{J. Knauer. ‘EUFOR Althea’. p.6.
Objective

As a result of the unstable situation in BiH, EUFOR Althea, resembling the largest ever EU military mission, aims to ‘contribute to a safe and secure environment in BiH’. The mission furthermore seeks to ‘provide capacity building and training to the armed forces of BiH, supporting them in their progression towards NATO standards’, and ‘to provide deterrence and continued compliance with the responsibility’ to comply with the Dayton Agreement’s Framework for Peace in BiH.

Strategy

As a part of the institutionalised Berlin Plus arrangement, the launch of EUFOR has recourse to NATO’s assets and capabilities. Ultimately 7000 troops were deployed initially. The challenges facing EUFOR concern the elimination of factors which put security and safety in BiH at risk, rather than typical inter-group violence, which has decreased. These comprise contamination of landmines, refugees, organised crime and black markets allowing weapons to flow freely. Beyond the strategic objectives, EUFOR supports local reconstruction, control and management of weapons, and the International Criminal Court for the Former Yugoslavia’s efforts in pursuing war criminals.

Outcome

Although the mission depended largely on NATO’s assets, EUFOR Althea’s implementation was ‘timely, efficient and cost-effective’, and the mission’s reassuring presence has increased the security on the ground, for instance through developing a centralised army and police force. Presently, conflict and insecurity no longer resemble a reality but rather a risk. Although the EU’s revised operation plan of 2007 reduced the number of deployed forces drastically, the ‘robust character of the Mandate’ didn’t suffer. From 2010 the Council decision called for ‘non-executive capacity-building and training support’ for local authorities. Whereas SFOR had primarily been a military mission, EUFOR’s efforts increasingly revolve around reassuring, mentoring, and training locals in order to enhance self-sustaining capacities in BiH. Deployed
forces decreased from 7000 in 2004 to 1500 in 2011. Consequently, in 2012 the operation became two-fold. Non-executive parts of the mission focuses on capacity building and training of armed forces in BiH, yet the executive military presence in BiH continues to date, in order to retain capacity to react ‘to any possible security challenges’.

The case of BiH shows indications that the benefits of EU security cooperation rest on the EU’s civilian capabilities, particularly in light of military incapability. While NATO's force managed to restrict violence, EUFOR has served to stabilise societal circumstances sustainably in the long-term. The effective transition from NATO to EU forces, deriving from the formal Berlin Plus guidelines, thus suggest that within a clear framework the EU and NATO can complement each other and cooperate efficiently. Further formal inter-institutional cooperation, however, cannot progress until the formal political issue between Cyprus and Turkey is settled.

CASE STUDY 5: Russia and Crimea

Problem

As Russian forces entered and annexed Crimea and Sevastopol in the spring of 2014, an armed conflict emerged between the Ukrainian government in Kiev, and pro-Russian secessionists, backed by Moscow. The conflict is largely geostrategic – Ukraine’s geographical location provides an ideal buffer zone for Russia, who seeks to prevent the EU’s sphere of influence from penetrating the old iron curtain. From an EU perspective, however, the years leading up to the conflict had seen the deepening of ties between Ukraine and Brussels. Hence, the conflict primarily derives from the vast public Ukrainian support for closer ties between Kiev and Brussels, which in late 2013 resulted in the Euromaidan Revolution, and widespread civil unrest between pro-EU activists, and those who favoured a Ukraine belonging to a Russian sphere of influence. Overall the EU faces the challenge posed by the Russian annexation of Crimea and the city of Sevastopol, and Russian provision of arms and support for secessionist rebels, which has resulted in a long-term violent conflict in the Eastern provinces of Donetsk and Lughansk. Essentially this crisis is argued to have increased tension between Russia and the West to the highest point since the Cold War.

Objective

The EU leaders deem the Russian annexations illegitimate and they have jointly condemned Russia’s ‘unprovoked violation of Ukrainian sovereignty and territorial integrity’. The immediate and prioritised objective of the EU has been for Russia to withdraw its armed forces.

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389 European Union External Action. EU military operation EUFOR ALTHEA in Bosnia and Herzegovina.
and allow immediate access for international monitors. Furthermore, it is in the interest of the Union to avoid having a Crimean referendum on whether Crimea ought to belong to Russia or Ukraine, which, given the illegitimate Russian invasion, is perceived to be illegal. The EU continues to support the territorial integrity of Ukraine and uphold democratic and inclusionary governmental values in Kiev.

**Strategy**

Initially, the EU called for a firm and strong reaction to Russian actions in Ukraine, highlighting that the crisis is the ‘most serious’ seen in recent years, stressing the illegality of Russian actions and European power to hurt Russia through economic sanctions. Consequently, throughout March 2014 the EU imposed restrictive measures on more than 30 Russian and Crimean officials in the shape of travel-bans and asset-limitation. Additionally, an upcoming EU-Russia summit, as well as future bilateral summits between Russia and EU member states, were cancelled. Further sanctions, or extension of sanctionary measures against Russian and Crimean individuals were imposed in June, July, September and November of 2014, in January, February, March, June, September and December of 2015, and in January and March of 2016. The EU continuously supported the Minsk agreement, signed in September 2014, which called for an immediate ceasefire in regions in Eastern Ukraine. The agreement, however, had collapsed by January 2015 when hostility and violence broke out once more between Ukraine and pro-Russian separatists.

**Outcome**

As a result of EU (and Western) sanctions on Russian oligarchs and powerful individuals, the Russian economy has taken a significant blow. While the Russian economy already faced challenges (of falling oil prices) prior to the sanctions, the sanctions are argued to have worsened the macro-economic situation. In December 2014, the Central Bank of Russia ‘ceased to defend the value of the Rouble’. The first quarter of 2015 saw Russia enter into a recession, with a GDP growth of -2.2 percent year-on-year. The Russian economic output

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399 Ibid.
went on to decrease by 4 percent throughout 2015. Moreover, the economic sanctions have served to put significant downward pressure on the Russian Rouble, and forced Russian companies to exchange their Roubles for foreign currencies to meet their interest payments. Sanctions have additionally been effective in hindering Moscow from expanding its influence to other parts of Ukraine, or even Moldova or Georgia. However, the weakening of Russia inevitably has implications for EU member states, who export less to Russia, who are affected by the subsequent Russian ban on European food imports, as well as the resultant low demand for imports in Russia following the low value of the Rouble.

The case of Crimea and the sanctions imposed by the EU on Russia illustrates good and bad aspects of EU foreign policy. Whereby the sanctions are argued to be a case of EU coordinated action, with the ability to directly harm the Russian economy, the EU signalled a united response towards Russia. The willingness to stick with sanctions despite the counter-beneficial implications posed upon the EU signals resolve and determination to force Moscow to surrender through non-violent means. EU foreign policy hard power is questioned, however, as the EU has consistently failed to guarantee peace in the Donbass region. European leaders are limited to diplomatic means, which evidently may not ensure peace on the short term.

403 E. H. Christie. ‘Sanctions after Crimea: Have they worked?’
Conclusions

The findings of this report can be summarised in one sentence: ‘It’s not that simple’. With the de-territorialisation of security policies, the end of traditional notions of war and rapidly changing threat dynamics driven by the Age of Behaviour, European security has become an increasingly complex and multi-dimensional issue. There is no formula that can calculate the outcome of a Brexit on our security and most importantly, even if there was a formula, there would be too many unknown variables to resolve it.

We can, however, start making better speculations, if we are aware of those variables that we can determine on the basis of the EU’s security capabilities, limitations and potentials and in the light of today’s most pressing security threats.

The Knowns: EU Capabilities, Limitations and Potentials

To date, the EU possesses few competences in counter-terrorism and member states are left with the discretion to act, as they prefer. Meanwhile, the few European counter-terrorism mechanisms that do exist are often restricted due to irregular and incoherent integration and cooperation and a conflict of interest between members who wish further integration in the field and those who perceive such integration as a deprivation of sovereignty.

Many member states perceive further intelligence and security integration as problematic due to concerns about the security of information, and prefer bilateral exchange of information as a result. Despite calls in Brussels for furthering the level of European intelligence sharing France and Belgium engaged bilaterally in intensified security cooperation in light of the Paris and Brussels attacks, rather than pursuing European integration in the field.

Yet, the EU has recently stepped up its efforts to enhance European counter-terrorism through the European Counter Terrorism Centre, the Passenger Name Record and other initiatives. The past year has seen relatively successful and efficient EU-led security cooperation and efficiently applied legal mechanisms, as seen in the case of Rawti Shax and transfer of Salam Abdeslam to France. Furthermore, political focus on the issue continues to grow, and the creation of various new institutions and mechanisms may be an indication that the EU is moving towards greater cooperation.

EU-coordinated exchange of best practices on counter-extremism and deradicalisation work has not yet gone beyond the early stages. Both philosophical disagreements between member states and practical hurdles have prevented the EU from introducing a comprehensive counter-extremism strategy that tackles radicalisation across Europe. While the EU-led Radicalisation Awareness Network is a useful tool to advance research on the topic and inform policy makers, a coherent framework for action as well as more hands-on projects will be needed to tackle the Europe-wide radicalisation problem.
The pan-European security apparatus has been largely restricted by political and cultural barriers. Still, the EU has been a useful vehicle to enhance Britain’s influence, pool capacities in an increasingly complex world and to pursue international legitimacy through gaining regional consent and exerting force on the basis of humanitarian reasons.

**The Unknowns: Legal, Political and Social Uncertainty**

Bilateral cooperation on counter-terrorism and counter-extremism is likely to continue, France is expected to stick to Le Touquet and the risk of disrupted or discontinued access to European information sharing mechanisms is minimal. Yet, there are a range of unpredictable legal, political and social variables that largely depend on third party reactions and changing political dynamics and are thus beyond Britain’s control.

- **Legal Uncertainty:** Leaving the EU in its current form is unprecedented and EU law only outlines rough exit procedures. The conditions and results of the leaving agreement negotiations will depend on the judgements of the European Council as well as the European Parliament.

- **Political Uncertainty:** Political dynamics will be driven by reactions of Britain’s strategic security partners, which in turn will be a function of these countries’ domestic dynamics. France might adopt a tit-for-tat policy and the US might turn to France, Germany as primary security partners. Furthermore, the upcoming elections in France and the US, with Marine Le Pen and Donald Trump as potential future presidents, and the rise of populist politicians in Europe may menace the future of Britain’s primary bilateral security partnerships.

- **Social Uncertainty:** Brexit might cause a domino effect of independence movements, which in the UK could mean a Scexit and in continental Europe could cause other countries to leave the EU, perhaps even leading to a collapse of the European project.

While the ‘knows’ are not particularly in favour of either staying or leaving, many of the implications of Brexit are uncertain and risk-adverse voters may therefore see it as an argument to vote for Remain. There are both best and worst case scenarios that largely depend on the reactions of third parties and other unpredictable external factors.

Thus, only the uncertainty of the consequences of Brexit is certain. If security is about minimising risks, should we vote for Remain?
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